

## HOUSE OF REPRESENTATIVES—Tuesday, April 23, 1996

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore [Mr. FUNDERBURK].

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
April 23, 1996.

I hereby designate the Honorable DAVID FUNDERBURK to act as Speaker pro tempore on this day.

NEW T. GINGRICH,  
Speaker of the House of Representatives.

### MORNING BUSINESS

The SPEAKER pro tempore. Pursuant to the order of the House of May 12, 1995, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member except the majority and minority leader limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from California [Mr. MILLER] for 5 minutes.

### EARTH DAY

Mr. MILLER of California. Mr. Speaker, today the Republican leadership of the House will bring forward several noncontroversial bills that are designed for one purpose only, to camouflage the Republican Party's dreadful and irresponsible record on the environment in the 104th Congress. We know that is the spin of the Republican leadership, thanks to a March 29 memo from Majority Leader ARMEY advising Republican Members how to drive our Republican themes home each week.

This week, following Earth Day, their theme is trying to make the Republican voter believe that antienvironment Republicans really care about protecting the environment and public health despite their horrible voting records. But these bills are not about making the environment green, they are about giving a faint green cover to the Republican Members who have voted time and again against clean water, against national parks, against endangered species, and against protecting Americans from pollution that threatens their health and safety. Four out of five Americans

want the Environmental Protection Agency maintained or strengthened and they are shocked by the statements of Majority Whip TOM DELAY who declared the EPA the Gestapo of government. Eighty-five percent of Americans who say they are environmentalists are baffled when they hear Resources Chairman DON YOUNG denigrate them as a despicable group of individuals, a self-centered bunch of waffle-stomping, Harvard-graduating, intellectual bunch of idiots. They are outraged when they hear Congresswoman CHENOWETH say that environmentalism is repugnant to America's values.

The fact is that simply is not true, but the effort is underway to create some political coverage and as they bring these bills to the floor as a result of discussions, apparently within the environmental task force that the Speaker promoted to suggest that the Republicans care about the environment, we now see, we now see that the average voting record on environmental issues of that task force is only 18 percent and nearly half of the members of that task force have earned a zero on their record.

Later today as we watch a parade of Republicans come down here and tell us how they support the environment by supporting these noncontroversial bills, we will offer them a figleaf, a figleaf that shows that while the vote on the noncontroversial coastal zone management legislation to give them a better environmental record, what we really see is that they voted in the past of this session killing coastal zone nonpoint pollution control, the dirty water bill, more sewage in oceans, ocean dumping of sewage, keeping the antienvironmental riders on legislation to harm the ability of that agency to clean up the Superfund sites and our coastal zones and gutting the wetlands protection provisions of legislation, of which 70, 80, and 90 percent of the Republicans voted for that very harmful legislation. But today most of them will vote for this and try to tell the people back home that they are for the environment. This is a sham. It is a bluff. It is inconsistent with the record of the Republicans in this Congress to date because when they had the votes, when they had the momentum, when they had the initiative, what they chose to do was to do the work of those who have spent so long bashing the environmental laws of this country.

The fact is what they have now discovered is the clean environment, envi-

ronmental protection is part of the ethic of the American value system. It is ingrained in us. It is ingrained in our children that we must preserve this environment. We must protect this environment to hand it on to future generations.

But unfortunately, the Republican leadership and a vast majority of their caucus has sought to do otherwise when they voted to gut the Clean Air Act, when they voted to gut the Clean Water Act, when they voted to hamper the Environmental Protection Agency from working, when they voted to repeal water reform in California, when they voted to clearcut the Tongass forests. These are provisions that are destroying and harming our environment for future generations. So the figleaf will provide a little cover but what it will not cover up is the massive antienvironmental voting record of the Republicans in this Congress.

### HAITI

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Florida [Mr. GOSS] is recognized during morning business for 5 minutes.

Mr. GOSS. Mr. Speaker, I am not going to address the subject of the environment today, but I happen to be a Republican. I believe that the environment knows no partisanship and it should know no extremism.

I think the environment is something we are all concerned about. I am proud as a Republican that under Republican leadership we have finally gotten some kind of relief for the Florida Everglades in my home State under Republican leadership, something we have been trying long to do. So there are indeed many sides of the story about who is doing what to help out the environment.

Mr. Speaker, I return to the floor to talk about Haiti today because I want to be certain that all of my colleagues are aware of the staff delegation report on Haiti that was issued last week. Although I hoped for good news for both the American taxpayers who footed the \$2 billion plus bill for United States operations in Haiti and for the Haitian people, there doesn't seem to be much. In fact, more than anything, this report reinforces the idea that the White House has been glossing over the rough spots in Haiti—hailing it as a success—and hoping that no one would dig deep enough to know the difference. The staff delegation concluded that little

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

progress, if any, is being made on compliance with the Dole amendment regarding political murders in Haiti. In fact, they see little chance of those conditions being met in the foreseeable future. These investigations may in fact be irreparably tainted because the Haitian special investigative unit has been colonized by three American lawyers working for the Government of Haiti.

Whether or not these individuals will be more interested in protecting their meal ticket or in getting to the bottom of the killing remains open for question, but it is a question that should be asked.

Beyond these specific investigations, the report also notes that the United States embassy in Haiti continues to have a passive policy on human rights violations. One might ask why the White House does not seem to understand the actions they decried during the coup are no less unacceptable in post-Cedras Haiti.

The report also finds that there are probably more rough spots than smooth ones with regard to law and order. The Haitian National Police are not always readily accepted by the Haitian people, but nothing can excuse the heavyhanded responses we have seen from them in places like Cite Soleil.

In addition, the staff delegation reports that there are at least four other armed governmental security units with unclear chains of command, but about whom there are credible reports of serious human rights abuses.

On the economic front, the news is little better. More than 60 percent of the Haitian national budget is still sustained by foreign dollars and Haitians still rely heavily on food aid and remittances from abroad. The lack of tangible progress on privatization and other reforms, added to the pervasive breakdown in law and order, continues to act as a damper on investment. Ultimately, the staff delegation concluded that private investment in Haiti is unlikely to even reach the low baseline level of 1985 before this century ends.

In terms of United States development projects in Haiti, the delegation found that the majority of the projects they reviewed failed to meet the one test that matters: Sustainability. In other words, we are feeding Haitians fish today but we are not teaching them to catch their own for tomorrow.

There are many more issues raised in the report, but I want to draw attention to the section entitled "Clinton Administration Politicization of Haiti Policy." The Congress has long been frustrated by the lack of good information from the administration regarding United States operations in Haiti, but that is only half of the story.

The staff delegation found that the administration is going beyond mere stonewalling to scapegoating and what they called a sustained and coordinated

interagency effort designed to blame the legislative branch for the shortcomings of its own policies in Haiti.

This finding is based on numerous instances when incomplete, inaccurate, and intentionally misleading information about the role that this Congress has played in Haiti was provided by the White House to staff, the AID mission, officials of the Government of Haiti, and to the Haitian business community.

This just adds to the evidence to suggest that of all of the items on the list of things the Clinton administration's policy in Haiti has lacked over the past 3 years, the most important item is candor. Whether we are fibbing to ourselves about what is happening in Haiti or to the Haitians about what is happening in Washington isn't the issue. Either way, the net effect has been to undercut genuine efforts to bring peace, prosperity, and democracy to that small Caribbean nation.

That, Mr. Speaker, is the real tragedy here and we should begin hearings based on the staff report.

#### REPUBLICANS AND EARTH DAY

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from New Jersey [Mr. PALLONE] is recognized during morning business for 5 minutes.

Mr. PALLONE. Mr. Speaker, yesterday, April 22, was Earth Day, the 26th anniversary of Earth Day. Because we were not in session yesterday, we had an opportunity to be in our districts and in my case in New Jersey and to celebrate the day by participating in various events and talking about some of the environmental issues that are important to America these days.

It is very unfortunate though that last year, in 1995, when Speaker GINGRICH and the Republican majority and the Republican leadership first took office and it was the 25th anniversary of Earth Day, we saw a systematic effort on the part of the Republican majority, the Republican leadership, to try to tear down 25 years of environmental progress that had been made on a bipartisan basis in this Congress and with the cooperation of Presidents, again both Democrat and Republican.

Today, because of the fact that many in the Republican leadership—specifically the Speaker—saw that the efforts, those efforts to tear down environmental protection, to weaken environmental laws, to not provide funding for enforcement and for investigation against polluters, because that effort did not meet a favorable response with the American public and because the polling the Republican leadership did show very emphatically that the public did not like the antienvironmental tactics that the Republican majority here was taking, all of a sudden now we see Speaker GINGRICH and the Republican

majority saying that, or trying to give the impression that, somehow they are pro-environment.

Today for the first time we have three or more environmentally friendly bills that are going to be brought to the floor of the House. It is no accident that it is the day after Earth Day. Just like planting trees and visiting zoos and other things that GINGRICH had suggested that Republican Members do, now he is proposing legislation on the day after Earth Day to try to basically give the impression that the GOP is environmentally friendly. They are not. Like a wolf dressed in sheep's clothing, many of the Republicans in this body are trying to give off the false appearance of concern for the environment and the health and safety of the American people. But they have worked consistently in this Congress to gut successful environmental laws such as the Clean Water Act, the Clean Air Act, Superfund, and the Safe Drinking Water Act. They have voted to substantially reduce funding for key environmental agencies such as the EPA and the Interior Department. They have tied the hands of these agencies by attaching antienvironmental riders onto their appropriation bills.

These bills that we will be voting on today are nothing more than a figleaf being used to hide the shameful voting record of many Republican Members on the environment. Unfortunately, the leaf they have chosen just is not big enough.

I want to use this chart to talk about the battery recycling bill, which is going to come up today and is a very good bill; but many of the Republicans cannot hide, by voting for this bill today, their previous votes on issues that are related.

For example, most of them voted—if I could turn this over, Mr. Speaker—basically against protecting children from arsenic in their drinking water. They voted against adequate funding for our Nation's toxic waste cleanup programs. They voted to stop the EPA from protecting Americans from exposure to arsenic, dioxin, lead, and other cancer causing pollutants and to allow corporate polluters to dump up to 70,000 chemicals into our Nation's rivers, lakes and streams and, finally, to allow industry to pollute our drinking water.

I want to make certain that the American public knows what is going on here today on the floor of this House. I will be supporting these bills today, the Coastal Zone Management Act, the battery recycling bill, the national wildlife refuge bills, and I have supported pro-environment initiatives throughout this Congress. Unfortunately, many of my friends on the other side of the aisle cannot say the same.

For that, we are going to give them today the figleaf award. The figleaf



award is given to those Republicans, the majority of them, who are essentially using Earth Day antics to try to cover up their environmental records.

Mr. Speaker, it is not fair. When I came to Congress in 1988, I came here because many of my constituents were concerned about the environment and hoped that by coming down here I could do something to turn around the dismal situation at the Jersey shore where we had medical waste and a lot of debris washing up on our beaches and our beaches were closed. I am very proud to say that Democratic Congresses, in cooperation with Republican and Democratic Presidents over the last 8 years, have done a lot to clean up our water. But this Congress has tried to turn back the clock.

The Republican majority and its leadership should not be allowed to hide what they are doing behind a figleaf.

Mr. VENTO. Mr. Speaker, if the gentleman will yield, the gentleman's figleaf, if they wore that figleaf in public they probably would be arrested for indecent exposure. The fact is, there is not any figleaf that is big enough to cover up the damage and the effort to undo environmental public policy that this Congress has done. In fact this Congress has not done the big things right. It is not doing the little things right.

Earth Day is not just the 26th day. Earth Day was not just yesterday. It is every day, not just 1 week but 52 weeks a year.

Mr. PALLONE. Mr. Speaker, I appreciate the comments of the gentleman from Minnesota.

#### GLOBAL ENVIRONMENTAL CLEANUP ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Florida [Mr. MICA] is recognized during morning business for 5 minutes.

Mr. MICA. Mr. Speaker, today is the day after Earth Day, and I am one of those Members of Congress from the Republican side who feels that every day should be an Earth Day because really, if you stop and think about it, most of the rest of the world is destroying our planet.

We have taken some corrective actions in this Congress and through Republican efforts. The Environmental Protection Agency was first proposed by President Nixon in 1972. Republicans have a long history of supporting cleaning up the environment, not only in this country but also in the world. One reason I came to the floor today is to announce that I am reintroducing legislation that I introduced in my first term. I have only been here 38 months, but this was probably the first place of legislation I introduced as a new Member. It deals with cleaning up our global environment.

As a former businessman, I had a chance in the international trade field to travel the world and see the mass destruction of our planet by so many nations. What disturbed me in traveling around the world and looking at what is going on was that in fact the U.S. policy, the U.S. financial backing was supporting some of these efforts at destruction of our planet.

So one of the first bills I introduced was called the Global Environmental Cleanup Act. I introduced it; it never got a hearing with the old majority. Really never got a fair airing. I felt that it was important that the United States, through legislation and through a directive from Congress, state as a firm policy that countries who receive any type of financial assistance should in fact be obligated to clean up the environment.

That is exactly what this bill will do. And I invite my colleagues to join me in being cosponsors of the legislation this week when it is introduced. Basically what it says is if you receive U.S. financial assistance, financial aid, that a certain percent of that financial aid, and whether it is to build a dam or whether it is to create an industry or some activity in a foreign nation, that in fact that portion of those funds from the United States and the taxpayer goes to clean up the environment in these countries. It is a reasonable approach and a reasoned approach.

The other thing that I noticed is that because of the way other countries, third world countries and other competing countries compete with the United States in manufacturing and other activities, often using lower environmental standards. They bring products into the United States at a lower cost, with less environmental protection, less attention to environmental cleanup and protection and they compete with our businessmen and women on an unfair basis. So this is a little bit of an equalizer.

This bill is also interesting because it also impacts every agency of the United States that deals in financial support or assistance or backing. The United States actually supports the finances of almost all third world nations. If we pulled out our financial backing through the United Nations, through the World Bank, through the various development banks and regional banks, many of these countries could collapse.

What this bill says, in its second part, is in fact that cleaning up the environment and environmental policy will be part of our policy and our financial backing. We will direct our representatives to these organizations to express not only by their voice but also by their vote support for environmental cleanup so our taxpayer dollars will help clean up and establish a policy for cleaning up these third world nations that abuse the world environment.

Let me provide examples. In Egypt, the second largest recipient of United States foreign assistance and we see pollution that would startle any environmentalist, and certainly should be a concern to every American. If you look in the Western Hemisphere in Mexico, a major trade recipient, a recipient of the largess of the United States, environmental pollution is a disaster. This bill and my colleagues' action in cosponsoring will help clean up that mess.

#### VARIOUS REFUGEE BILLS ON SUSPENSION

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from New York [Mr. HINCHEY] is recognized during morning business for 4 minutes.

Mr. HINCHEY. Mr. Speaker, I am from the State of New York where we have a long history of protecting the environment on a bipartisan basis. As a matter of fact, New York was the State that gave to the Nation Theodore Roosevelt, who more than any other person was responsible for the establishment of our system of national parks. It is also the State where Nelson Rockefeller was the Governor, a great Republican Governor, one who led the fight in the early 1960's for environmental protection and particularly in cleaning up our waterways with the New York Clean Water Act.

Unfortunately in this Congress the sense of bipartisan responsibility and protection for the environment has just flown out the window. It is completely absent. However, later on this afternoon, we will see part of what can only be described as a great American confidence game, a con game.

In a con game what happens is this, the confidence man or person tries to gain your confidence so that he can put a fast one over on you. That is what is happening here this afternoon. The Republican majority of this Congress will try to gain the confidence of the American people with regard to the environment by passing some very simply, noncontroversial environmental bills, while all the time hiding the fact that over the course of the last year and a half throughout this Congress, they have systematically gone aggressively forward with attempts to destroy the environment. The figleaf of this confidence game that they will be promoting this afternoon, when that is taken away, shows clearly what the record is. There it is.

They voted earlier this year for including waivers of environmental laws to mandate salvage logging in the national forests. That will result in the cutting of old growth trees in national forests in the Northwest and all across the country. Fiscal year 1995 rescission bill, H.R. 1158, vote No. 204, on March 15, 1995, the Yates amendment to delete

the salvage rider, the Republican vote was 208 to 17 in support of that kind of cutting, logging without laws, rollcall 204. They voted also for opening the Arctic National Wildlife Refuge for oil and gas development. That was the Budget Reconciliation Act, H.R. 2491, vote No. 812 on November 17 of last year. The Republicans voted 232 to 1 in favor of the budget bill with the ANWR Act in it, oil drilling in the wildlife refuge, opening up the wildlife refuge to rapacious oil drilling. At least twice they voted for an Interior appropriations bill which guts the Endangered Species Act, increasing logging in the Tongass National Forest, allowing pesticides to be used in national wildlife refuges and undermining the Mohave National Preserve. That was the fiscal year 1996 Interior appropriations bill, H.R. 1977, vote No. 853. It occurred on December 13 of last year. And on that vote the Yates motion to recommit to conference was opposed, and the Republicans voted 229 to 3 against recommitting that measure to conference.

Also the veto override, vote No. 5 on January 4, 1996, the Republican majority in this House voted 225 to 4 in favor of overriding the President's veto; 98 percent of them voted for that veto override, which gutted the Endangered Species Act. And also they voted for slashing the Land and Water Conservation Act programs which protect fish and wildlife habitat, fiscal year 1996 Interior Appropriations Act, H.R. 1977, vote No. 502, which occurred on June 12, 1995.

The gentleman from California, GEORGE MILLER, introduced an amendment to restore the administration's \$235.1 million budget request for Land and Water Conservation Act land acquisition. The Republican majority voted 228 against that act. So they slashed the land and water conservation fund.

So let us not be conned. Let us not be conned by the figleaf of environmental protection when what has really been happening here on a systematic and aggressive basis is an attempt by this majority to undermine every significant environmental protection law that this country has.

#### MEDICARE

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Florida [Mr. MILLER] is recognized during morning business for 5 minutes.

Mr. MILLER of Florida. Mr. Speaker, I rise today to talk about Medicare, but my colleagues on the other side of the aisle keep bringing up the issue of the environment. I am glad the previous speaker talked about all the environmental Republicans from the fact that President Nixon was one that brought forth the Environmental Pro-

tection Agency. The real core difference we have, we are all for the environment. The difference is whether Washington has all the answers or we know better in Florida what to do with the Florida environment and New York knows better what to do with their environment. I do not believe that Washington is the expert on every single subject. We need to let the States have the power to make some of those decisions.

What I rise today to talk about is Medicare. There are two articles in today's papers about Medicare; one in the New York Times, the front page, and one in the Wall Street Journal.

The New York Times article talks about how Medicare is in a bigger financial problem than we realize. And the Wall Street Journal article talks about how the Democrats are making it a campaign issue, which is too bad because Medicare is far too important to play politics with and to scare seniors.

The New York Times article says that the Medicare Program is in worse than projected financial problems. They talk about the fact that last year, for example, in the Medicare Program, the part A Program, was projected to have a \$4.7 billion surplus. Instead it ran a \$35.7 million deficit. So we started the problem a year ago. In this current fiscal year, the first 6 months, during this whole year the projection has been that Medicare would have a \$4.2 billion surplus. We are losing money already this year. We are projected to have a surplus of \$45 million this year. Instead we are going to have a \$4.2 billion deficit for the first 6 months alone. Medicare is going bankrupt faster than we ever thought it was.

We said it was going to go bankrupt in 7 years. It is probably going to go bankrupt now in another 5 years or so, and we are anxious to get the trustees' report to see how serious the problem really is.

The one thing good about the New York Times article is Chris Jennings, who is a special assistant to President Clinton, says, Republicans and Democrats should work together to address the problem. That is exactly what we need to do. This is a bipartisan problem. It is too important to demagog and scare seniors. I have an 87-year-old mother who is dependent on Medicare. In 11 years I will be on Medicare. We all have family and relatives and friends on Medicare. We cannot allow the program to go bankrupt and we are not going to. We are going to save the system. We all agree to save the system.

President Clinton, my friends on the other side of the aisle, everybody wants to keep the system alive, keep it going. We have to do that. It is too important. But we should not scare seniors. Being from Florida, we know what happens when you scare seniors, Gov. Lawton

Chiles used that in his campaign back in 1994, and there were hearings in the State legislature how they had a medicare campaign in Florida. That is wrong and we should stop doing it here.

It was brought out in the Wall Street Journal article today. Let me read a couple comments from that.

Democrats and their allies are mounting an aggressive drive to paint Republicans as Medicare's undertakers, ignoring the Democrats own overhaul proposals and charging instead in a national advertising campaign that the GOP wants to savage the program.

Come on. Let us get serious about this. Medicare is too important. We agree; they agree. We have to save the program. Stop using rhetoric like that. These are ads run by, whether it is the Democratic Party or the AFL-CIO spending their \$35 million to beat up on Medicare, they say it is wrong to start cutting Medicare.

Minority Leader GEPHARDT has a quote in here, the extremist Republican Medicare cuts would destroy and devastate the program.

Again, let us get serious. That is not right. That is scaring seniors. I have more seniors in my district than anyone else. We have to take care of Medicare and we will.

Robert Reischauer is quoted in here, former head of the Congressional Budget Office, appointed by Democrats, saying, if you keep it in proper perspective, we are within striking distance of each other. We are going to spend \$1.6 trillion over the next 7 years on Medicare. The difference between the Republican proposal and the Democratic proposal is \$44 billion. We are not talking about big differences.

We have learned a great deal over the past year about what is wrong with it. It is full of waste and fraud and abuse. If we cannot find \$44 billion over 7 years, more waste, fraud, and abuse, then we are not doing a very good job.

That is what we have to focus on, the waste, fraud, and abuse. The Republicans are allowing Medicare to be the fastest growing part of our budget. If you look at it on a per person basis, we are going from \$4,800 per person on Medicare to \$7,100 per person on Medicare over the 7 years, more money every year to spend on Medicare. So we are going to take care of Medicare but we have to slow the rate of growth. To say we are destroying and devastating the program, that is wrong, and all you are doing is getting senior citizens scared. I have got too many senior citizens to have scared like that. I think it is wrong and we need to stand back and say this is a bipartisan issue. Let us work together to save the Medicare Program.

#### THE MINIMUM WAGE

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentlewoman from North



Carolina [Mrs. CLAYTON] is recognized during morning business for 4 minutes.

Mrs. CLAYTON. Mr. Speaker, every person who works desires to earn a livable wage. That is the reason for working.

That is not true today.

Some 12 million workers earn a mere minimum wage.

What is a minimum wage?

A minimum wage is the least, the lowest, the smallest wage possible—a minimal wage.

It is not a wage that reflects the cost of living.

It is a wage that the law allows an employer to pay, without regard to the cost of basics—food, clothing, and shelter.

A worker can work very hard and be productive—40 hours a week—and his boss is only required to pay the least, the lowest, the smallest possible wage—a minimal wage.

Mr. Speaker, is it fair to allow employers to pay a wage that is 50 cents less in value than it was when the wage was set 5 years ago? That is a 40-year low.

The price of living has steadily risen, while the pay for working has steadily fallen.

The proposal to increase wages to make them more livable is a constrained proposal.

The increase would be a barely significant 90-cents per hour—in two installments of 45 cents each, over 2 years—raising the minimum wage from \$4.25 to \$5.15.

Yet, while the 90-cent increase is barely significant when compared to wage and income increases among managers, politicians, and other professionals—it is an increase that could make life livable for millions of Americans.

A 90-cent raise in pay for minimum-wage workers would add \$1,800 in additional income over a year.

That amount of money—\$1,800—could buy 7 months' worth of groceries for the humble and unassuming family.

That amount of money—\$1,800—for a single mother, with children—could cover 4 months of basic housing costs; 9 months of utility bills; more than a full year's tuition at a junior college; and 1 year of health care costs.

That amount of money could make a substantial difference in the quality of life for the working poor in America.

Who are the working poor in America, Mr. Speaker?

Most are adults—20 years old or older. In fact, more than 7 out of every 10 of the working poor are adults.

Also, most are women, and many are single, heads of households, with children. In fact, about 6 out of every 10 of the working poor are women.

Mr. Speaker, the least, the lowest, the smallest possible wage—the minimum wage—that the working poor can earn has increased just once in the past

quarter of a century. That one increase in 25 years was by 90 cents in two installments as well.

Thoughtful economists and scholars throughout the United States have closely monitored and studied the impact of minimum wage increases on the economy.

An impressive list of those economists and scholars have concluded that increasing the minimum wage had no significant, long-term, adverse impact on employment.

Indeed, a higher minimum wage can make it easier to fill vacancies and can decrease employee turnover.

We will soon debate welfare reform proposals. How can we realistically expect cooperation from those on public assistance when, at current minimum wage levels, a person who leaves welfare and takes a job would simply move from one poverty status to another?

In 1955, more than four decades ago, the value of the minimum wage was a little less than \$4. Today, the value of the minimum wage is a little more than \$4. Surely, we should not expect a worker in 1996 to live on 1955 wages.

Historically, the issue of a fair minimum wage has enjoyed broad, bipartisan support. The issue deserves no less today.

I urge all my colleagues, Republicans and Democrats, to join in supporting a livable wage for all Americans.

I urge my colleagues to support H.R. 940, a bill with a modest increase in the minimum wage.

#### MORE ON THE MINIMUM WAGE

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from California [Mr. RIGGS] is recognized during morning business for 5 minutes.

Mr. RIGGS. Mr. Speaker, I wanted to rise to address the minimum wage issue for just a moment as one of seven Republicans who a few weeks ago voted for a procedural motion on this floor that would have allowed the House to then consider actually a vote on increasing the minimum wage and as 1 of 20 Republicans who have now joined together to introduce our own version of legislation increasing the minimum wage. This is our competing version with the version that has been offered by our Democratic colleagues.

What I wanted to first point out before this minimum wage bandwagon gets too far along in the process is that some of our Democratic friends, especially those in the other body, are not leveling with the American people. They are not telling the American people, for example, that during the past 2 years, when they controlled both Houses of the Congress and of course the Presidency, they did not entertain legislation to increase the minimum wage. That sort of begs the question: Why, if you think it was such a high

priority, if you think it is such a high priority now, why did you not address it when you had the chance, when you controlled both Houses of the Congress and the Presidency?

Second, Mr. Speaker, let me say that one reason, in fact the main reason that I supported increasing the minimum wage is because I believe we have to make work more attractive than welfare. I campaigned in 1994 on a promise of supporting an increase in the minimum wage provided it was coupled with meaningful welfare reform. I was concerned, first of all, that the minimum wage has lost a lot of its purchasing power to inflation and that we ought to increase the minimum wage to at least keep pace with inflation. Second, we ought to increase the minimum wage, as I said before, to make work more attractive than welfare.

Over the past 15 months, the new Republican majority in the Congress has been attempting to help President Clinton, who, as candidate Clinton back in 1992, campaigned on a promise of ending welfare as we know it, made good on the promise. We have been dealing with meaningful welfare reform. We want to end the Federal entitlement for welfare. We want to make block grant programs which the States would administer. We want to impose a time limit of 2 years or less at the discretion of the States on receiving welfare benefits and a 5-year lifetime limit on receiving welfare benefits.

Second and probably even more importantly, we want to require able-bodied welfare recipients to work at least part time or enter a job training program in exchange for their benefits. That is emphasizing work over welfare. We recognize because so many welfare recipients are single mothers and that they struggle against heroic odds that we have to increase funding for child care and transportation to help those welfare recipients make that difficult transition from welfare to work. But again part of making that transition from welfare to work, at least in my view, is to increase the minimum wage.

Mr. Speaker, that is why I am co-sponsoring legislation which would increase the minimum wage, the Federal minimum wage to \$5.25 per hour over the next year. If we are going to reform welfare by moving people from welfare to work, they need to be able to earn a more living wage. They ought to be in a position as a former welfare recipient to enter the work force in an entry level position, at least being able to meet their own needs, hopefully as well as the needs of dependents.

Mr. Speaker, one glaring problem, one major flaw with our current welfare system is that in many cases it pays more for some people to stay on welfare. That is to say, welfare benefits in the aggregate pay more than what a person can make in a minimum wage

job. If we want to reform welfare as the Republican majority in the Congress has been attempting to do with no help or support or cooperation from our Democratic colleagues, we have got to make work pay more than welfare. We have got to reverse that perverse incentive where welfare is more attractive than work. So reverse the equation, if you will, and that is why I support raising the minimum wage.

It is a sad fact that a full-time minimum wage worker in America today would earn approximately \$3,840 for a year's work, which is far less than many States pay in welfare cash benefits and well below the Nation's poverty level. We need to correct this inequity so that people who want to work are not forced to choose between work and welfare because welfare pays better.

Again, Mr. Speaker, the point I wanted to emphasize is that the minimum wage increase in my view should be coupled with meaningful welfare reform like the welfare reforms that President Clinton promised back in 1992 and like the welfare reform legislation that President Clinton has twice vetoed over the last 15 months.

#### THE MINIMUM WAGE

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Massachusetts [Mr. OLIVER] is recognized during morning business for 4 minutes.

Mr. OLIVER. Mr. Speaker, last week 20 House Republicans introduced a bill to raise the minimum wage by \$1.50 each over the next 2 years. They broke from their leadership and agreed with what we Democrats have been saying all along. People working 40 hours a week ought to earn a livable wage.

Now Speaker GINGRICH and Senator DOLE are joining the game, but it is certainly not a done deal. The Republican leadership still plans to weigh any bill down with union-bashing provisions and maybe different minimum wages for different people. They wanted to slow the bill down. Senate Republicans have been blocking a minimum wage vote for months now, and opposition to the minimum wage from Majority Leader ARMEY is well documented.

So the future of this minimum wage movement remains to be seen. But the movement must succeed. We must fight to bring the minimum wage back in line with what working people in America need to get by. These are the facts: 10 million American workers earn only the minimum wage. The minimum wage has not been raised in 6 years, but the buying power of \$4.25 an hour is 50 cents less than it was in 1991. Two-thirds of minimum wage earners are adults, 40 percent of these adults are sole breadwinners; almost 60 percent of minimum wage workers are women.

Here are some more points to consider: 75 percent of Americans favor increasing the minimum wage. A reasonable minimum wage combined with the earned income tax credit rewards work and is the best way to keep families off welfare. But right now the minimum wage is so low that the earned income tax credit cannot fill the gap, just the 90-cent increase in the minimum wage combined with food stamps and the earned income tax credit would put a family of four that relies on a minimum wage earner back up to the poverty line.

The ripple effect of raising the minimum wage also helps another 2 million workers who now earn between \$4.25 and \$5.25 an hour. Yesterday's Washington Post stated what is clear to everyone except the Republican leadership: "There ought to be a clean vote in Congress on raising the minimum wage."

Speaker GINGRICH and Senator DOLE should stop fishing around for provisions they can add to the bill hoping to kill it. They should listen to the moderate wing of their own party. Raising the minimum wage lifts all boats. Keeping the minimum at the 1991 level keeps everyone's boat tied to the dock.

#### LAND AND WATER CONSERVATION FUND

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from California [Mr. FARR] is recognized during morning business for 4 minutes.

Mr. FARR of California. Mr. Speaker, I rise today on Earth Day to remind us that Mother Earth giveth, but the 104th Congress taketh away. Look at the battle of this year: Tried to take away Medicare benefits, affordability of Medicare, tried to take away the school lunch program. And now on Earth Day we see that they are trying to take away the Endangered Species Act, but that is not all.

Mr. Speaker, we have heard earlier today that the 104th Congress decided also to take away the public enjoyment of public lands and sell those to private interests. They want to sell the mountains to the ski resorts, the forests to the logging companies, the rivers to hydropower and to development. They want to sell wildlife refuges to oil and gas development and to hunters. They want to sell the minerals that belong to the people to the mining companies. Lastly, they want to take the Indian lands and sell those to the gambling interests.

In addition to these takeaways from the U.S. public, because the public owns these lands, and give these to private interests, they also want to take away the money that has been derived from the sale of all these resources because we receive value for when we sell the land and water of this country and the grazing lands and so on. What do

they want to do with that money? It is our money, sitting in a trust account here in Washington called a lockbox, known as the land and water conservation fund. The lockbox now has our money, \$12 billion in there that cannot be spent.

Should we tolerate this? I say no. Look what we can do. Look what happened with a little politics in this House last week, for a similar lockbox. In the transportation funds, the Highway Trust Fund, this House voted 284 to 143 to open that box and allow that money to be spent on the public interests.

In fact, the leader of that movement, the gentleman from Pennsylvania, Chairman SHUSTER, said, Congress imposes taxes on gasoline, on airline tickets and other transportation goods with the assurance that those funds would be spent on the infrastructure improvement, but the problem is that the accumulated surpluses of these dedicated user-generated trust funds are not being spent to build anything. They are just sitting in bank accounts. He went on to say, this is patently unfair to the American traveling public. Well, it is also unfair on Earth Day to the American public that enjoys the out-of-doors to lock up all of their moneys in a trust fund, \$12 billion.

My colleagues, the 1995 Republican budget resolution called for a moratorium on the land and water conservation funds. The total balance in that fund is \$12 billion, as I said. What is good for the goose is good for the gander. Good roads leading to bad environment sounds like the road to hell paved with good intentions.

#### RAISING THE MINIMUM WAGE

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Puerto Rico [Mr. ROMERO-BARCELÓ] is recognized during morning business for 4 minutes.

Mr. ROMERO-BARCELÓ. Mr. Speaker, I rise in strong support of the Democratic efforts to raise the Federal minimum wage. I am proud to have joined in sponsoring legislation which was introduced in February of last year to raise the minimum wage by 90 cents. I am chagrined that over the last 14 months minimum wage opponents have prevented this legislation even getting a hearing.

When Henry Ford founded the Ford Motor Co., it was his philosophy to pay his workers well enough that they could afford to buy the products they were making. It made sense then and it continues to make sense now. An underpaid labor force cannot provide the consumer demand which is necessary to the long-term strength of our economy. Increased poverty ultimately brings harm to all sectors of our economy, not just the poor.



A 90-cent increase in the minimum wage will add \$1,800 to the annual earnings of a minimum wage worker. To them and their families, \$1,800 can and will make a significant difference in their ability to meaningfully participate in the American dream.

For an average family, \$1,800 is enough to buy 1 year of health-care costs. We in Congress have struggled with the difficulties and expense of providing adequate health care to those who cannot afford their own. We know the tax cost to individuals and businesses when government must step in to provide healthcare benefits to the needy. The minimum wage is part of the solution.

For the average family, \$1,800 is enough to buy 7 months of groceries. Businesses cannot prosper when their employees' productivity is impaired by malnutrition. Children will not learn in school if they are not receiving regular, healthy meals at home. The minimum wage is part of the solution.

For the average family, \$1,800 is enough to pay basic housing costs for almost 4 months. Is there anything which is more important to a family's well-being and dignity, and a workers' productivity, than adequate housing? The minimum wage is part of the solution.

At a 2-year college, \$1,800 is enough to pay for more than a full-year's tuition. The changes in the American economy over the last two decades have left no doubt that only through education and training can American workers hope to better the lot for themselves and their children. Only with a large pool of well-trained workers can American industry compete with foreign companies. The minimum wage is part of the solution.

Contrary to the disingenuous claims of minimum wage opponents, the typical minimum wage worker is not a teenager flipping burgers after school to earn a little extra money to spend at the mall. The typical minimum wage worker is an adult woman, working full-time, and supporting at least one child in her household. She is working increasing hours in her struggle to support her family and to avoid having to rely on the government for her child's next meal.

Recent studies suggest that 300,000 people would be lifted out of poverty if the minimum wage is raised to \$5.15 per hour. This figure includes 100,000 children who are currently living in poverty.

We have allowed the minimum wage to drop to its lowest value in 40 years. In 1979, the minimum wage was the equivalent of about \$6 per hour in 1996 dollars. It is now only \$4.25. We have allowed this decline to happen, not during a time when our economy is suffering, but during a time when corporate profits, executive salaries, and the stock market are at record highs.

A 90-cent increase can make the difference between a family living in dignity and a family living in poverty. It can make the difference between a family being able to afford adequate health care and a family having to rely on woefully inadequate public health programs. It can make the difference between a family being able to improve its lot by participating in available educational opportunities and a family doomed to a downward economic spiral.

Henry Ford's philosophy of paying his workers enough to allow them to buy his products is still a good philosophy. America must pay its workers enough for them to be able to buy a dignified place in our economy.

I urge my colleagues to support raising the minimum wage to \$5.15 an hour. Millions of hard working Americans who deserve a better life will appreciate our leadership.

#### ERMA BOMBECK

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentlewoman from Colorado [Mrs. SCHROEDER] is recognized during morning business for 2½ minutes.

Mrs. SCHROEDER. Mr. Speaker, while I am all in favor of raising the minimum wage, I take the floor today to salute a wonderful woman whose loss I will certainly, certainly feel, and I think all American women will, whether they are getting the minimum wage or whether they are working at home with no wage. Erma Bombeck's loss will really go to the heart of all of us. The laughter that we will lose because of her death really seems very sad.

Mr. Speaker, Erma Bombeck made us laugh about all of the things that we live with every day: husbands' socks having so much fuzz on them you have to shave them, the green fuzz in the refrigerator that people kept asking about and then you were clearly trying to grow your own penicillin, all the problems you have with children who get dressed in the morning in some outfit that really looked more like a costume and you were afraid that somebody would think the child had been drinking before they even got to school.

The problems and the advice that she had for all of us that were so terribly important. She taught me one thing that was very critical; that was never loan a car to anyone you gave birth to. That was very good advice. And you should never have more children than you have car windows in an automobile. It prevents so many fights.

She also went on to tell us all the things about men and watching football. She really thought that there should be a law in this country that, if men watched more than 16 consecutive

quarters of football, they should be declared legally dead. I think that there was some accuracy in that, too.

Yes, Erma Bombeck was a person who, even though she became very, very ill and her transplant finally got her and claimed her life, she never stopped laughing. She never stopped making us laugh. She saw the beautiful wit and wisdom in everyday life. So many of us sometimes try to escape everyday life, but she showed us the poetry in it, the philosophy in it and the fun we should all have with it every single day. So her incredible uncommon wit will be missed by every single one of us. How very much sadder the planet is going to be without her penning away about her life as a domestic goddess in Phoenix, AZ.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the House stands in recess until 2 p.m.

Accordingly (at 1 o'clock and 25 minutes p.m.), the House stood in recess until 2 p.m.

#### □ 1400

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore [Mr. UPTON] at 2 p.m.

#### PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

With praise and adoration, with thanksgiving and gratitude, we offer our prayers to You, O God, and place our petitions before You. We pray for our world and our Nation, for our communities and the people of every background and tradition, for family and friends and for ourselves. We place before You, gracious God, our needs that are both great and small, those supplications that we hold in the secret places of our own hearts, asking that You would forgive us where we are weak or selfish, and strengthen us to do those good works that do justice and mercy. In Your name, we pray. Amen.

#### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

#### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Ohio [Mr. TRAFICANT]

come forward and lead the House in the Pledge of Allegiance.

Mr. TRAFICANT led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### POSTPONING FURTHER CONSIDERATION OF VETO MESSAGE ON H.R. 1561, AMERICAN OVERSEAS INTERESTS ACT

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that notwithstanding the order of the House of Monday, April 15, 1996, further consideration of the veto message on H.R. 1561 be postponed until Tuesday, April 30, 1996.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

#### LET US WORK TOGETHER TO PROTECT OUR ENVIRONMENTAL RESOURCES

(Mr. FUNDERBURK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FUNDERBURK. Mr. Speaker, yesterday President Clinton drove a few miles from the White House and picked up a few logs for Earth Day to try to show his dedication to the environment. I have to ask, why is this President trying to make the environment one of his key campaign issues? He has no monopoly on concern for the environment, just exaggerated rhetoric.

It seems that ever since the Democrats became an endangered species here in Washington, they have turned up the heat on their big-lie campaign in an attempt to take back the majority in Congress. It just so happens that their shameful big-lie campaign is now politicizing the environment.

Mr. Speaker, I want a clean and healthy environment for my children and grandchildren. I support using modern technology and scientific evidence to make sure our environmental protection laws are effective. Mr. Speaker, let us work together to protect our environmental resources, not use them as pawns in cheap political games.

#### LET US NOT BE MEAN-SPIRITED

(Mr. VOLKMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VOLKMER. Mr. Speaker, Members of the House, the radical Republican majority is still bent on cutting educational funds, especially title I funds. It is mean-spirited. Who does it impact on? Not the local school dis-

tricts, but it impacts on children; children, preschool children in the first and second grade; children like the two that I visited with and many others in my district while I was out there. These young children, without these reading skills, will be destined to a future that they will not be able to participate in in this great society of ours because they will not be able to read.

The Republicans say that we do not need those funds for title I. I say we do. I say that the future of this country is bound by the education that our children receive, and it is necessary that they have the skills of reading and math, and that is what title I provides.

I say to the Republicans, let us not be mean-spirited.

#### DEMOCRATS SIT BACK AND DO NOTHING TO SAVE MEDICARE

(Ms. DUNN of Washington asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DUNN of Washington. Mr. Speaker, this morning's New York Times carried a disturbing report that I believe deserves notice. The banner reads "New Medicare Trust Fund Data Show Unusually Large Shortfall."

Mr. Speaker, the article says the Medicare hospital insurance trust fund lost \$4.2 billion in the first half of the current fiscal year, since the first of October, which suggests that the financial condition of this program is even worse than what was projected by the administration last year. During all of fiscal year 1995 the Medicare trust fund lost \$35.7 million, when it should have been a surplus. But now, just in the first half of this year, Medicare has lost over \$4 billion.

Last year Bill Clinton vetoed the Congress' Medicare Preservation Act, which would have reformed Medicare. The issue is clear, Mr. Speaker. Liberals would rather sit back and do nothing to save Medicare and then demonize conservatives for their good faith effort to deal with the problem. I think it is outrageous that the other party would risk our parents and grandparents to score political points.

#### MAYBE THE TYPES OF JOBS BEING CREATED ARE TO BLAME

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, Medicare trust funds lost another \$4 billion. Payroll contributions keep going down. Maybe it is the type of jobs that are being created.

Check this out: How about a handkerchief folder, a drawstring knotted, a hooker inspector, a pantyhose crotch closer machine operator supervisor, a muff winder, a fur blower, a wizzer operator, a brassiere cup molder fitter.

Evidently, Mr. Speaker, when American workers become muff winding brassieres fitters, and fur blowing wizzer operators, the Medicare trust fund will continue to lose money. Maybe we better take a look at the issue and also take a look at these jobs that do not pay a whole lot of money. How about a drawstring knotted? That is really a goal in life.

#### SHORTFALL GROWING IN MEDICARE HOSPITAL TRUST FUND

(Mr. CHABOT asked and was given permission to address the House for 1 minute.)

Mr. CHABOT. Mr. Speaker, I would like to read from the front page of this morning's Cincinnati Enquirer in my district. It says, "Losses Hit Medicare Trust Fund. \$4.2 Billion Shortfall Growing." The article quotes a special assistant to President Clinton, who says the new numbers indicate the need to move forward, balance the budget and enact some changes in Medicare that will strengthen the trust fund. Well, no kidding. This from the same administration that for the last year has been opposing every effort to do just that.

Now that President Clinton's own team that has belatedly figured out that the Medicare trust fund is going bankrupt, perhaps the President is ready to abandon his campaign rhetoric finally and join those of us in Congress who have been working to save Medicare for this generation and for future generations of American citizens. Maybe it will stop the shameless "medicare" campaign and we can work together to save Medicare.

#### LET US PASS AN INCREASE IN THE MINIMUM WAGE NOW

(Mr. RICHARDSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RICHARDSON. Mr. Speaker, what issue is supported by 85 percent of the American people? What issue is supported by 61 percent of Republican voters? Increasing the minimum wage.

So why do we not do it cleanly, without amendments that will clutter the issue?

Mr. Speaker, the last vote to increase the minimum wage occurred in 1989, and due to inflation much of this increase has been eroded. Who does an increase in the minimum wage help? Twelve million Americans. Sixty percent of these are adults over 25 years old; mainly women.

Mr. Speaker, this is not a teenager-plus issue. It is an issue that affects all Americans.

Twelve million Americans would benefit from an increase to \$5.15 an hour, including 100,000 New Mexico workers.

Raising the minimum wage is a critical step in moving people from welfare



to work. Someone can make more on welfare than they can by working right now. Is \$8,400 a year sufficient to help a family? The answer is "no," Mr. Speaker.

Let us end the politics, let us pass a minimum wage bill. Let us move on to health care. Let us leave a lot of these issues that need to be done uncluttered with many amendments. Let us pass an increase in the minimum wage now.

#### CRIME: A SERIOUS ISSUE IN OUR COUNTRY TODAY

(Mrs. CUBIN asked and was given permission to address the House for 1 minute).

Mrs. CUBIN. Mr. Speaker, I want to talk about a very serious issue in our country today—crime. With all of the freedoms we enjoy in our country today, if we as citizens do not have confidence in our judicial system to keep the criminals off the streets, we do not have total freedom, because we will always be looking over our shoulders or will be too scared to participate in social activities outside of our homes.

Many, many people feel this way today. And who can blame them—when they read stories about Clinton-appointed judges who side with the criminals and blame society. Like the Clinton judge who insisted that the killer had "socially redeeming values," even though he stabbed his victim repeatedly, shot him twice, and laughed at the victim while he pled for his life.

This is wrong. Our justice system should protect the rights of crime victims—not invent newer and more expansive rights for criminal defendants. Our justice system should distribute justice, not liberal social experiments that coddle criminals.

We need to appoint judges who represent and understand America's values.

#### STOP PLAYING POLITICAL GAMES WITH THE MINIMUM WAGE

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. To quickly respond to my colleagues who spoke about Medicare, the congressional Republicans in this body do not want to fix Medicare. They, in fact, want to destroy Medicare. They proposed a \$270 billion cut in Medicare to pay for a \$245 billion tax break for the wealthiest Americans. Do not let us let them get away with it.

Mr. Speaker, on the front page of today's Washington Times, a Republican Senator says of congressional Republicans, "We have no agenda."

Mr. Speaker, in the spirit of bipartisanship, I want to offer some assistance to my Republican colleagues. For starters, the Republican leadership can

schedule a vote on raising the minimum wage in this Nation. Most families are working harder in a mad scramble to pay their bills every single week. They need a raise, and we should raise the minimum wage.

Today the minimum wage is at a 40-year low. Democrats have proposed boosting it by a mere 90 cents, but the Republican leadership continues to block any effort to bring forward a vote on the minimum wage. Let us do it, let us give hard-working Americans the raise that they need to take care of their families.

#### THE TIME IS RIGHT TO DO RIGHT: RAISE THE MINIMUM WAGE

(Mr. LEWIS of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEWIS of Georgia. Mr. Speaker, the time is always right to do right. And raising the minimum wage is the right thing to do.

This is not just an economic issue, Mr. Speaker, this is a moral issue. Hard working people deserve the right to earn a livable wage. The minimum wage is at a 40-year low. No one can live, much less support a family, on \$8,400 a year.

Mr. Speaker, stop playing politics with people's lives. Bring a clean minimum wage bill to this floor. Do not load it up and bring it down with your pet programs.

The American people, hard-working people, are watching and waiting. Raise the minimum wage.

#### CAN THE AMERICAN PEOPLE AFFORD ANY MORE CLINTON-APPOINTED JUDGES?

(Mrs. SEASTRAND asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SEASTRAND. Mr. Speaker, one of the most important things that a President, any President, does during his tenure is to fill the vacant Federal judgeships in the Federal judiciary. The other body does have the responsibility to "advise and consent," but ultimately, the responsibility for who sits on the Federal bench is the President's.

President Clinton has a miserable track record for appointing judges. His picks are by and large doctrinaire liberals. Let's take the Judge Baer debacle.

Judge Baer, a Federal judge in New York, refused to admit into evidence 75 pounds of cocaine and 4 pounds of heroin even though the person caught with the drugs gave a full confession. His reasoning in the case was faulty at best, and implied that the New York City police were corrupt and wrong for investigating a clear case of probable

cause involving a huge amount of drugs.

Mr. Speaker, Bill Clinton has already appointed 25 percent of all Federal judges. Can the American people afford any more?

□ 1415

#### COMMENDING PRESIDENT CLINTON'S CALL TO CURB OVERFLIGHT NOISE ABOVE NATIONAL PARK UNITS

(Mrs. MINK of Hawaii asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MINK of Hawaii. Mr. Speaker, yesterday President Clinton announced his commitment to our national parks by ordering that agencies protect them against noise intrusions from park overflights. I applaud this announcement as it joins a hard-fought battle I have waged for 6 years in the State of Hawaii on behalf of residents adjacent to parks, hikers and other park visitors, and precious indigenous species protected by our parks.

I urge the Federal Aviation Administration and National Park Service to act quickly to respond to the President's directive. For the parks in my State, the President has called for a notice of proposed rulemaking by the end of 1996.

My files are full of petitions and letters protesting noise disturbances caused by fixed-wing and helicopter flights over Haleakala National Park on the Island of Maui and Hawaii Volcanoes National Park on the big island. Some hikers report that they can enjoy no peace in pristine areas because air tour operators seek to impress passengers by flying as close as possible to certain park features. Some have sent me pictures of helicopter tours flying close to canopies of trees above their houses, reporting of noise being generated that rudely awakens their children, drops and shatters dishes from kitchen counters, and denies them peace of mind. Some have presented logs documenting an average of 10 flyovers each day.

The President yesterday provided similar rationale for increased regulation of these flights by saying,

Aircraft flying at low altitudes over national parks can, if not properly managed, mar the natural beauty of the parks and create significant noise problems as well. The intrusion of such aircraft can interfere with wildlife (included endangered and threatened species), cultural resources and ceremonies, and visitors' enjoyment of parks, including the ability to experience natural sounds without interruption from mechanical noise.

I reintroduced legislation in this session of the Congress which aims to provide the relief the President has mandated in the State of Hawaii. H.R. 1369 would restrict flights over Hawaii's National Park System units and create

flight-free corridors over certain areas. I urge my colleagues to support H.R. 1369, which would provide necessary relief for the people of Hawaii. And I once again commend the President for his statement that bolsters my efforts.

I welcome the efforts of the executive agencies, but in reality what is needed is legislative enactment of this protection for our national parks.

#### THE REPUBLICAN MAJORITY IS HOLDING UP THE BUDGET BY INSERTING ANTI-ENVIRONMENTAL RIDERS IN THE BILL

(Mr. PALLONE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PALLONE. Mr. Speaker, Democrats and Republicans have almost come together on a budget that would carry us through the rest of the year, but the one thing that is holding it up are the anti-environmental riders that the Republican leadership insists on putting in the bill.

Today they insist on environmental riders that would bar new listings under the Endangered Species Act, prevent the EPA from protecting wetlands, provide no drinking water standards to protect the public from radon, and also to limit and cap the number of hazardous waste cleanup sites around the country.

It is no surprise to me that today the only reason we are held up on this budget bill is because the Republican leadership continues to insist on putting these anti-environmental riders in the appropriations in the budget process. It is because fundamentally, from the very beginning of this Congress, they took an anti-environmental stance because they wanted to cater to the special interests, the corporate interests, that wanted to continue to pollute and tear down our environmental laws that we have worked so hard for since Earth Day 1970.

Mr. Speaker, I know we are going to hear all kinds of rhetoric today from the Republicans about how they are so pro-environmental, but the real test is if they would eliminate the environmental riders and not put them in the budget bill. All the rest is simply rhetoric for Earth Day.

#### LET US ADJUST THE MINIMUM WAGE TO \$5.15 PER HOUR OVER 2 YEARS

(Mr. STUPAK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STUPAK. Mr. Speaker, one of the issues which Congress must periodically address is the adjusting of the level of minimum wage. I did not say raise the minimum wage, I said adjust the minimum wage. The last adjust-

ment of the minimum wage dollars took place in 1991. At that time the minimum wage was adjusted from \$3.80 to the current level of \$4.25. Despite that adjustment of 45 cents, the actual buying power of basic hourly compensation is estimated to have fallen by 50 cents because of inflation. In fact, the minimum wage is now 29-percent lower than it was in 1979 and, left unchanged, its real value will be at a 40-year low by January. In the absence of any kind of automatic cost-of-living adjustment, let us take the necessary step to bring this basic entry-level wage up to where it needs to be today.

In the most simple way, we can positively affect the lives of millions of working Americans. Let us approve an adjustment in the minimum wage to \$5.15 per hour over the next 2 years.

#### BILL CLINTON'S JUDICIAL APPOINTEES ARE SOFT ON CRIME

(Mr. COOLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COOLEY. Mr. Speaker, Bill Clinton's judges are soft on crime.

All of our antidrug and anticrime legislation is useless if Clinton's judges refuse to enforce the law.

One of Clinton's nominees to the Federal bench—a Democrat fund-raiser from Miami—didn't even know about the Supreme Court's 1995 affirmative action decision.

Another Clinton judge dismissed a defendant's confession and 75 pounds of cocaine.

Why?

The judge ruled that police are corrupt, and that drug dealers should be allowed to run away.

Bill Clinton has already appointed 25 percent of all Federal judges.

If Clinton is elected again, he will have the chance to appoint up to 50 of all Federal judges, as well as one, two, or three Supreme Court judges.

Do the American people want President Clinton to appoint half the Federal judges?

I hope not.

I, for one, would rather see a Federal judiciary that cares about crime victims.

#### REDUCE DEPENDENCE ON GOVERNMENT BY INCREASING THE RESPONSIBILITY OF EMPLOYERS TO PAY A MINIMUM WAGE

(Ms. NORTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. NORTON. Mr. Speaker, we tried welfare reform without jobs. Do we want to put these same people to work without enough pay to live on? All the welfare reform in the world will not do what a raise in the minimum wage will

do. One hundred thousand kids would come out of poverty the day we lift the minimum wage. No bureaucrats, no training, just a small hike in the minimum wage. Not 1 cent added to the deficit.

Why should we subsidize employers with food stamps and other benefits in order to allow them to pay less than a minimum wage? Reduce dependency on Government by increasing the responsibility of employers to pay a minimum wage.

#### CORRECTIONS CALENDAR

The SPEAKER pro tempore (Mr. UPTON). This is the day for the call of the Corrections Calendar.

The Clerk will call the first bill on the Corrections Calendar.

#### CONTINUITY OF BOARD OF TRUSTEES OF INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

The Clerk called the bill (H.R. 3049) to amend section 1505 of the Higher Education Act of 1965 to provide for the continuity of the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development.

The Clerk read the bill, as follows:

H.R. 3049

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. CONTINUITY BOARD.

Section 1505(i) of the Higher Education Amendments of 1968 (20 U.S.C. 4412(i)) is amended—

(1) in paragraph (1), by inserting before the period at the end of the first sentence the following: "or to recommend another individual if the member does not consent to be reappointed"; and

(2) by striking paragraph (2) and inserting the following:

"(2) If the President has not transmitted to the Senate a nomination to fill the position of a member covered by such a recommendation within 60 days from the date that the member's term expires—

"(A) if the member consents to reappointment, the member shall be deemed to have been reappointed for another full term to the Board, with all the appropriate rights and responsibilities; or

"(B) if the member does not consent to reappointment, an individual recommended by the Board under paragraph (1) shall be deemed to have been appointed for a full term to the Board with all the appropriate rights and responsibilities."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia [Mr. NORWOOD] and the gentleman from Michigan [Mr. KILDEE] will each be recognized for 30 minutes.

The Chair recognizes the gentleman from Georgia [Mr. NORWOOD].

Mr. NORWOOD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today we are considering H.R. 3049, which simply corrects a



board of trustees appointment problem for the Institute of American Indian Arts. This legislation was introduced in a bipartisan manner by our colleagues Mr. GOODLING and Mr. KILDEE at the request of the Institute. This simple fix will help maintain the continuity of the Institute's board of trustees, and will help the Institute to continue to fulfill its mission of educating those who wish to preserve our native American arts and culture.

The Institute of American Indian Arts is a federally created institution of higher education. Its primary purposes are to provide scholarly study of and instruction in Indian art and culture, and to establish programs which culminate in the awarding of degrees in the various fields of Indian art and culture. The Institute is authorized under title XV of the Higher Education Amendments of 1986, and policy for the Institute is set by a board of trustees which includes 13 voting members appointed by the President with the advice and consent of the Senate.

Unfortunately, the board appointment process has proven to be overly cumbersome and this has resulted in a number of board members serving additional terms, sometimes beyond the time they wished to serve, in order to insure that the board could maintain a quorum.

The legislation we are considering today would simply amend section 1505 of the Higher Education Amendments of 1986 to allow the board to recommend successors for the board members whose terms are expiring and who do not wish to serve additional terms. The President would have the prerogative to act on these recommendations, or to appoint another qualified individual of his choosing subject to confirmation by the other body.

However, should the President fail to act within 2 months of the expiration of the sitting member's term, and should that member not wish to serve an additional term, then the individual recommended for appointment by the Board would be automatically seated.

Mr. Speaker, this legislation is bipartisan and revenue neutral. It does not limit the options of the President in making appointments to the board, but merely streamlines the appointment process for this one institute. This is a small step in our efforts to make Government more responsive and less burdensome for those it is intended to serve. But it will make a real difference for those at the Institute, who are preparing the next generation and preserving an important part of our heritage.

This is commonsense legislation, and I urge its passage.

Mr. Speaker, I reserve the balance of my time.

Mr. KILDEE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to rise in support of this legislation that I cosponsored with my friend, BILL GOODLING.

Ten years ago, I worked with BILL GOODLING, and a number of other Members, to create the Institute of American Indian Arts. The Institute was to provide a place of study and instruction in the culture, history, and arts of the native American people. Mr. Speaker, the Institute has been very successful in accomplishing this mission, as the gentleman from Georgia has pointed out. Today, the Institute offers degree granting programs in a variety of fields, and has served a vital purpose in helping educate people on the native American culture. The policy of the Institute is set by a 13-member voting board, which is appointed by the President of the United States.

The problem that brings us here today, is the appointments to the Institute's board of trustees have not been made in a timely fashion. As a result, the board of trustees does not have the ability to function in the best interest of the Institute.

This legislation, very simply, will allow the board to appoint an individual to the board if the President does not act within 2 months of the expiration of a sitting member's term.

This legislation will allow the board to operate in a more effective and efficient manner, as the gentleman from Georgia has pointed out.

I believe this legislation makes good sense, and I urge my colleagues to support its passage.

Mr. Speaker, I reserve the balance of my time.

Mr. NORWOOD. Mr. Speaker, I yield 2 minutes to the gentlewoman from Nevada [Mrs. VUCANOVICH].

Mrs. VUCANOVICH. Mr. Speaker, I thank the gentleman from Georgia for yielding time to me.

Mr. Speaker, I am pleased to rise today in support of H.R. 3049 and H.R. 3055, the second and third bills brought to the floor this session under the corrections day process.

Since the commencement of corrections day, seven bills have been signed into law by the President, and six bills have passed the House and are waiting further action in the Senate. I believe we are compiling a record of success, and that the corrections calendar will continue to be relied upon by the House.

The American people are demanding a more responsive Government, and corrections day plays a key part in meeting their demands. I believe that the two bills we will consider today are superb examples of how corrections day is a process that works for the American people.

I would like to thank the members of the corrections day advisory group, especially Mr. WAXMAN, who through his and their efforts, make corrections day truly bipartisan in nature. I also want

to thank Chairman GOODLING, Mr. NORWOOD, Mr. KILDEE, and the Opportunities Committee for their hard work in getting these bills to the floor. I am hopeful that the Senate will recognize the need for quick action and send these bills to the President without delay.

Mr. KILDEE. Mr. Speaker, I yield 3 minutes to the gentleman from New Mexico [Mr. RICHARDSON].

Mr. RICHARDSON. Mr. Speaker, I want to thank the chairman and ranking member of the committee, and the gentleman from Georgia [Mr. NORWOOD], in addition, for their attention to the Institute of American Indian Arts, which is located in my district in Santa Fe, NM. I especially want to commend the gentleman from Michigan [Mr. KILDEE]. It is true he is one of, if not the, father of this institution, with some very valuable legislation that he offered over the years, along with the Committee on Education and Labor.

Let me say, Mr. Speaker, that I will at this time support the bill, but I do have some concerns about the precedent this bill sets in putting restrictions on Presidential appointments, so this is not a Democratic or Republican issue. I believe that in the future, before we consider legislation which in any way limits a President's duty to appoint boards, that we should really take a hard look at the precedent it sets.

□ 1430

Nonetheless, this bill addresses one of the biggest obstacles the Institute faces. The Institute has lost its Federal funding, half of it, last year, and has directions from this body to become totally privately funded in a matter of years.

In times like this, you need a strong board of directors that is going to raise money, that is going to find other sources of money, and which can provide strong leadership. This is very important at this time.

However, let me just state that besides that concern that I have of putting restrictions on board appointments, let me say that the board at the Institute for American Indian Arts has not always been the most stable force there. They have a board now that I believe is offering leadership.

I see the gentleman from New Mexico [Mr. SKEEN] here, my good friend who is responsible for keeping the Institute alive 1 more year, and hopefully, with the help of the gentleman from Ohio [Mr. REGULA], for 3 more years in a transition to it becoming a private institution.

Again, I think this legislation is well meaning, but I think we have to be very careful about limiting Presidential appointments to boards. One of the problems has been the White House, regrettably, delayed naming many of these board members.

This is not a big fish, this issue. This fish happens to be in my congressional district, nonetheless, and it is an institute that is teaching young men and women, native American men and women, an ability to express themselves in art. Some outstanding art comes from here. The institute has gotten its act together. Let us not object to this bill.

I think as we move ahead in the other body, we should just be sure that we are not infringing on a Presidential priority, infringing on a Presidential prerogative. But I think this legislation is in response to a situation that needs to be corrected. For that reason, I will be supporting it. I hope in the days ahead we can deal with some of these concerns, but this is not the time to derail good legislation as it moves forward.

Mr. YOUNG of Alaska. Mr. Speaker, I rise in strong support of H.R. 3049, a bill providing for the continuity of the Board of Trustees of the Institute for American Indian and Alaska Native Culture and Arts Development. Since 1988, I have been appointed by the Speaker's office to fulfill the Board of Trustee position for the two congressional seats of the U.S. House of Representatives and I thank the Speaker for this honor.

As you know, the Institute is a federally created institution for higher education, authorized under title 15 of the Higher Education Amendments of 1986. Its primary function is to provide instruction in Indian arts and culture and establish a program which completes with the award of degrees in the contemporary and traditional fields of Indian art and culture.

Unfortunately, the appointment/reappointment process of fulfilling the Board of Trustees vacancies has proven to be extremely cumbersome and the appointments of voting members to the board has not been made in a timely manner. H.R. 3049 would prevent the situation where board members have felt obligated to serve additional terms in order to maintain a quorum for the purpose of conducting business. I urge my colleagues to vote yes on this purely technical corrections bill and thank the Speaker for the opportunity to voice my concerns.

Mr. KILDEE. Mr. Speaker, I yield back the balance of my time.

Mr. NORWOOD. Mr. Speaker, my compliments to the gentleman from Pennsylvania [Mr. GOODLING] and the gentleman from Michigan [Mr. KILDEE] for this excellent corrections day bill. Since I have no further requests for time, I will also yield back the balance of my time.

The SPEAKER pro tempore (Mr. UPON). Pursuant to the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and (three-fifths having voted in favor thereof) the bill was passed.

The title of the bill was amended so as to read: "A bill to amend section 1505 of the Higher Education Amendments of 1986 to provide for the continuity of the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development."

A motion to reconsider was laid on the table.

#### CONTINUED GRANT PARTICIPATION BY HISTORICALLY BLACK GRADUATE PROFESSIONAL SCHOOLS

The Clerk called the bill (H.R. 3055) to amend section 326 of the Higher Education Act of 1965 to permit continued participation by Historically Black Graduate Professional Schools in the grant program authorized by that section.

The Clerk read the bill, as follows:

H.R. 3055

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. FINDINGS.

The Congress finds the following:

(1) The Historically Black Graduate Professional Schools identified under section 326 of the Higher Education Act may receive grant funds if the Secretary of Education determines that such institutions make a substantial contribution to the legal, medical, dental, veterinary, or other graduate opportunity for African Americans.

(2) The health professions schools which participate under section 326 train 50 percent of the Nation's African American physicians, 50 percent of the Nation's African American dentists, 50 percent of the Nation's African American pharmacists, and 75 percent of the Nation's African American veterinarians.

(3) A majority of the graduates of these schools practice in poor urban and rural areas of the country providing care to many disadvantaged Americans.

(4) The survival of these schools will contribute to the improved health status of disadvantaged persons, and of all Americans.

#### SEC. 2. ELIMINATION OF GRANT RENEWAL LIMITATION.

Section 326(b) of the Higher Education Act of 1965 (20 U.S.C. 1063b(b)) is amended by striking the second sentence.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia [Mr. NORWOOD] and the gentleman from Missouri [Mr. CLAY] each will be recognized for 30 minutes.

The Chair recognizes the gentleman from Georgia [Mr. NORWOOD].

Mr. NORWOOD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank you for allowing me and my colleague from Missouri, Mr. CLAY, to bring to the floor a small yet important bill. H.R. 3055 corrects a situation going on here in Washington that has a big effect on five historically black colleges and universities, including two major Georgia colleges that supply health care professionals to nearly every county in my district.

Because of a technicality in the Higher Education Act of 1965, both Morehouse School of Medicine and Clark-Atlanta University could stand to lose their ability to compete for Federal education grants. Under that 1965 Act, grant eligibility is limited to two 5-year grants. These schools have received their two 5-year grants.

This was originally done to make sure a small number of schools didn't monopolize the few grants that were available, but over the years that situation has proven not to be an issue. At present, the other 11 schools covered by the Act have said that they have no objection to Morehouse and Clark, as well as the other three schools, continuing to compete, yet this unnecessary rule still is on the books, which means both colleges will be shut out of the process starting next year unless we act now.

H.R. 3055 will correct this situation. Here's why this is so important—the five schools who will lose grant eligibility under this rule provide more than half of the entire country's African-American physicians, pharmacists, and dentists, and three-quarters of all African-American veterinarians.

For the most part, these health-care professionals practice in poor urban and rural areas, where they serve a large number of poor Americans regardless of their race. It would be inexcusable to allow these colleges' ability to put qualified health-care providers in the field to be compromised because of a rule that should no longer apply.

Mr. Speaker, H.R. 3055 contains no new spending, and does not increase the Federal deficit. H.R. 3055 contains no new Federal mandates. But what H.R. 3055 does contain is a small measure of help for those who would provide medical help to many in rural and poor areas. I urge my colleagues to vote in favor of H.R. 3055.

Mr. Speaker, I reserve the balance of my time.

Mr. CLAY. Mr. Speaker, I yield myself such time as I may consume. I rise in support of H.R. 3055 and commend my colleague, Mr. NORWOOD, for co-sponsoring this legislation. I am proud to note that this bill was favorably reported by the Committee on Economic and Educational Opportunities with unanimous, bipartisan support.

Mr. Speaker, this bill corrects a problem with respect to section 326 of title III of the Higher Education Act. That section was added to the act in 1986 as a way to provide support for historically black graduate and professional institutions of higher education which perform vitally important services for our Nation.

As Mr. NORWOOD stated, the five schools initially included in section 326 educate more than half of all black doctors, dentists, and pharmacists, as well as 75 percent of all black veterinarians each year. That is a major return on the small investment provided by the Federal Government.



H.R. 3055 allows those five institutions to continue to do what they do so well. It will allow them to remain eligible to receive section 326 support at no additional cost to the Federal Government.

I urge my colleagues to support this bipartisan effort.

Mr. Speaker, I yield back the balance of my time.

Mr. NORWOOD. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and (three-fifths having voted in favor thereof) the bill was passed.

A motion to reconsider was laid on the table.

#### RESIGNATION AS CONFEEE AND APPOINTMENT OF REPLACEMENT CONFEEE ON H.R. 3019, BALANCED BUDGET DOWN PAYMENT ACT, II

The SPEAKER pro tempore laid before the House the following resignation as a conferee:

HOUSE OF REPRESENTATIVES,  
Washington, DC, April 23, 1996.

Hon. NEWT GINGRICH,  
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I hereby resign as a conferee for the entire bill, H.R. 3019, the omnibus appropriations measure for Fiscal 1996. I intend to remain a conferee for the Labor, Health and Human Services, and Education portion of the bill.

Thanking you and with best regards, I am  
Sincerely yours,

STENY H. HOYER.

The SPEAKER pro tempore. Without objection, the resignation of Mr. HOYER as a conferee on the primary panel of conferees is accepted, the gentleman from Ohio, Mr. STOKES is appointed to fill the resulting vacancy among the primary panel of conferees, and is reappointed as a conferee for consideration of section 101(c) of the House bill and section 101(d) of the Senate amendment and modifications committed to conference.

There was no objection.

The SPEAKER pro tempore. The Clerk will notify the Senate of the change in conferees.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on

which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules but not before 5 p.m. today.

#### BATTERY RECYCLING AND OTHER ENVIRONMENTAL ISSUES

Mr. RICHARDSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Without objection, the gentleman from New Mexico is recognized for 1 minute.

There was no objection.

Mr. RICHARDSON. Mr. Speaker, on the issue of the environment and Earth Day, we have to be very careful not to politicize these issues. We are about to take up a battery recycling bill, which is a good bill. By the way, it used to be my bill and FRANK PALLONE's bill, now is a Republican bill. We accept that. Things change.

But we should not, by passing this bill, say that we have ended our tasks in protecting the environment. Battery recycling is important, but it does not correct the environmental rollbacks that many in this Republican majority have pursued this year: Weakening the Clean Water Act, slashing funding for the EPA, weakening the Endangered Species Act, attempting to close down some of our national parks.

We want to take some positive steps on the environment. We also should pass a bipartisan Superfund bill that does not pass the cost of cleanups on to the taxpayer, a safe drinking water bill that keeps public health as a top priority, a park concessions bill that allows fair competition to concessionaires and keeps the cost of visiting our parks down to all Americans.

I do want to commend, I will be commending Chairman BLILEY, Chairman OXLEY, Chairman DINGELL, and ranking member PALLONE for their efforts to bring this battery recycling bill to the floor. Hopefully this will be a good precedent for the Republican majority to celebrate our environment, not just on Earth Day by going to a zoo and exhibiting concern for animals, but by passing concrete legislation.

Mr. Speaker, I think that this is starting to happen with our majority here that realizes that taking on the environment has not been a good issue, that going out and weakening our environmental laws has rebounded negatively with voters. This is a good bill, and our colleague, the gentleman from Wisconsin [Mr. KLUG], should be commended for it.

I especially want to commend the work of the gentleman from New Jersey [Mr. PALLONE], who has been a leader in the fight on mercury poisoning; that is, reducing it. He has been a

leader in many issues relating to recycling.

Mr. Speaker, I yield to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Speaker, I want to thank the gentleman from New Mexico for those very kind remarks and, of course, say the same thing about him. I know this battery bill has been very important to him and the whole issue of battery recycling and concern for mercury in the atmosphere.

I agree with him completely when he says that as much as we believe that this bill is important today and we certainly do want it to pass, that that should not take away from what the Republican majority and the Republican leadership are doing about the environment in general, and how they are continuing to try to move legislation on the floor of this House that would tear down the environmental protections we have had in place for a number of years.

Particularly, today I found out in the Committee on Appropriations, although they are very close to agreement on a spending bill that would take us through the remainder of this year, that the disagreement once again is over environmental issues and over the fact that the Republican leadership insists on these environmental riders or antienvironmental riders that are placed in the appropriations bill that would, among other things, prohibit new Superfund sites from being designated, prohibit the EPA from designating standards for radon in drinking water, prohibit the EPA from being involved in wetlands protection, and the list goes on and on.

□ 1445

So they are continuing their assault on the environment; that is, the Republican majority, at the same time they are making an effort today, or at least to seem to try to show today, that they do bring some environmental legislation to the floor. We cannot mask the fact that some of these measures like the battery recycling bill, even though they are very important, are small measures compared to the damage the Republican majority is doing to the environment.

If I could just for a minute quote what I thought was a great editorial in yesterday's New York Times, just some of it, that is called "Defunding Mother Earth." It says:

There are many destructive proposals on the Congressional agenda, including several bills that would transfer millions of acres of public land to state and commercial jurisdiction. But the most urgent example of bad legislation is an omnibus appropriations bill now under consideration in a House Senate conference. The bill sharply reduces appropriations for the Environmental Protection Agency and the Interior Department and contains a dozen or so crippling anti-environmental riders.

Today marks the 26th anniversary of Earth Day. In full knowledge of that, House Speaker Newt Gingrich recently formed a 77-member Republican environmental task force. Although 36 members of this task force earned "zero" ratings from the League of Conservation Voters for their routine support of anti-environmental legislation, many of them are likely to spend the week planting trees, visiting zoos and striking friendly poses next to recycling bins. But the best thing Mr. Gingrich could do for his country and his party would be to recognize that what counts here is content, not imagery—and remove those riders from the appropriations bill.

Once again, we need to keep pressing the point that you cannot talk about the environment in a favorable way, and move some bills, and at the same time continue the assault on the environment to tear down the last 25 years of environmental protection since Earth Day.

Mr. RICHARDSON. Mr. Speaker, reclaiming my time, I thank the gentleman from New Jersey. I hope our friends from the majority are on their way. Here is their opportunity to do a real environmental bill. I hope they are not hesitating. I am sure they are on their way. I thank the Chair for allowing this dialog.

This does not diminish the fact this is a good bill, this battery recycling bill. It is something I will say industry, some industry, has taken a very positive role in changing this, in being constructive about change. Hopefully, it will lead to other issues that involve protecting the environment. I think it is very important that we have a bipartisan bill on Superfund, a meaningful bipartisan bill, that does not pass the cost of cleanups on to the taxpayer.

Next, this is the very glorious Committee on Commerce, a safe drinking water bill that keeps public health as a top priority.

#### MERCURY-CONTAINING AND RECHARGEABLE BATTERY MANAGEMENT ACT

Mr. OXLEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2024) to phase out the use of mercury in batteries and provide for the efficient and cost-effective collection and recycling or proper disposal of used nickel cadmium batteries, small sealed lead-acid batteries, and certain other batteries, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2024

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Mercury-Containing and Rechargeable Battery Management Act".

#### SEC. 2. FINDINGS.

The Congress finds that—

(1) it is in the public interest to—

(A) phase out the use of mercury in batteries and provide for the efficient and cost-

effective collection and recycling or proper disposal of used nickel cadmium batteries, small sealed lead-acid batteries, and other regulated batteries; and

(B) educate the public concerning the collection, recycling, and proper disposal of such batteries;

(2) uniform national labeling requirements for regulated batteries, rechargeable consumer products, and product packaging will significantly benefit programs for regulated battery collection and recycling or proper disposal; and

(3) it is in the public interest to encourage persons who use rechargeable batteries to participate in collection for recycling of used nickel-cadmium, small sealed lead-acid, and other regulated batteries.

#### SEC. 3. DEFINITIONS.

For purposes of this Act:

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of the Environmental Protection Agency.

(2) BUTTON CELL.—The term "button cell" means a button- or coin-shaped battery.

(3) EASILY REMOVABLE.—The term "easily removable", with respect to a battery, means detachable or removable at the end of the life of the battery—

(A) from a consumer product by a consumer with the use of common household tools; or

(B) by a retailer of replacements for a battery used as the principal electrical power source for a vehicle.

(4) MERCURIC-OXIDE BATTERY.—The term "mercuric-oxide battery" means a battery that uses a mercuric-oxide electrode.

(5) RECHARGEABLE BATTERY.—The term "rechargeable battery"—

(A) means 1 or more voltaic or galvanic cells, electrically connected to produce electric energy, that is designed to be recharged for repeated uses; and

(B) includes any type of enclosed device or sealed container consisting of 1 or more such cells, including what is commonly called a battery pack (and in the case of a battery pack, for the purposes of the requirements of easy removability and labeling under section 103, means the battery pack as a whole rather than each component individually); but

(C) does not include—

(i) a lead-acid battery used to start an internal combustion engine or as the principal electrical power source for a vehicle, such as an automobile, a truck, construction equipment, a motorcycle, a garden tractor, a golf cart, a wheelchair, or a boat;

(ii) a lead-acid battery used for load leveling or for storage of electricity generated by an alternative energy source, such as a solar cell or wind-driven generator;

(iii) a battery used as a backup power source for memory or program instruction storage, timekeeping, or any similar purpose that requires uninterrupted electrical power in order to function if the primary energy supply fails or fluctuates momentarily; or

(iv) a rechargeable alkaline battery.

(6) RECHARGEABLE CONSUMER PRODUCT.—The term "rechargeable consumer product"—

(A) means a product that, when sold at retail, includes a regulated battery as a primary energy supply, and that is primarily intended for personal or household use; but

(B) does not include a product that only uses a battery solely as a source of backup power for memory or program instruction storage, timekeeping, or any similar purpose that requires uninterrupted electrical power in order to function if the primary energy supply fails or fluctuates momentarily.

(7) REGULATED BATTERY.—The term "regulated battery" means a rechargeable battery that—

(A) contains a cadmium or a lead electrode or any combination of cadmium and lead electrodes; or

(B) contains other electrode chemistries and is the subject of a determination by the Administrator under section 103(d).

(8) REMANUFACTURED PRODUCT.—The term "remanufactured product" means a rechargeable consumer product that has been altered by the replacement of parts, repackaged, or repaired after initial sale by the original manufacturer.

#### SEC. 4. INFORMATION DISSEMINATION.

The Administrator shall, in consultation with representatives of rechargeable battery manufacturers, rechargeable consumer product manufacturers, and retailers, establish a program to provide information to the public concerning the proper handling and disposal of used regulated batteries and rechargeable consumer products with nonremovable batteries.

#### SEC. 5. ENFORCEMENT.

(a) CIVIL PENALTY.—When on the basis of any information the Administrator determines that a person has violated, or is in violation of, any requirement of this Act (except a requirement of section 104) the Administrator—

(1) in the case of any violation, may issue an order assessing a civil penalty of not more than \$10,000 for each violation, or requiring compliance immediately or within a reasonable specified time period, or both; or

(2) in the case of any violation or failure to comply with an order issued under this section, may commence a civil action in the United States district court in the district in which the violator resided for appropriate relief, including a temporary or permanent injunction.

(b) CONTENTS OF ORDER.—An order under subsection (a)(1) shall state with reasonable specificity the nature of the violation.

(c) CONSIDERATIONS.—In assessing a civil penalty under subsection (a)(1), the Administrator shall take into account the seriousness of the violation and any good faith efforts to comply with applicable requirements.

(d) FINALITY OF ORDER; REQUEST FOR HEARING.—An order under subsection (a)(1) shall become final unless, not later than 30 days after the order is served, a person named in the order requests a hearing on the record.

(e) HEARING.—On receiving a request under subsection (d), the Administrator shall promptly conduct a hearing on the record.

(f) SUBPOENA POWER.—In connection with any hearing on the record under this section, the Administrator may issue subpoenas for the attendance and testimony of witnesses and for the production of relevant papers, books, and documents.

(g) CONTINUED VIOLATION AFTER EXPIRATION OF PERIOD FOR COMPLIANCE.—If a violator fails to take corrective action within the time specified in an order under subsection (a)(1), the Administrator may assess a civil penalty of not more than \$10,000 for the continued noncompliance with the order.

(h) SAVINGS PROVISION.—The Administrator may not take any enforcement action against a person for selling, offering for sale, or offering for promotional purposes to the ultimate consumer a battery or product covered by this Act that was—

(1) purchased ready for sale to the ultimate consumer; and

(2) sold, offered for sale, or offered for promotional purposes without modification.



The preceding sentence shall not apply to a person—

(A) who is the importer of a battery covered by this Act, and

(B) who has knowledge of the chemical contents of the battery

when such chemical contents make the sale, offering for sale, or offering for promotional purposes of such battery unlawful under title II of this Act.

#### SEC. 6. INFORMATION GATHERING AND ACCESS.

(a) RECORDS AND REPORTS.—A person who is required to carry out the objectives of this Act, including—

(1) a regulated battery manufacturer;

(2) a rechargeable consumer product manufacturer;

(3) a mercury-containing battery manufacturer; and

(4) an authorized agent of a person described in paragraph (1), (2), or (3), shall establish and maintain such records and report such information as the Administrator may by regulation reasonably require to carry out the objectives of this Act.

(b) ACCESS AND COPYING.—The Administrator or the Administrator's authorized representative, on presentation of credentials of the Administrator, may at reasonable times have access to and copy any records required to be maintained under subsection (a).

(c) CONFIDENTIALITY.—The Administrator shall maintain the confidentiality of documents and records that contain proprietary information.

#### SEC. 7. STATE AUTHORITY.

Nothing in this Act shall be construed to prohibit a State from enacting and enforcing a standard or requirement that is identical to a standard or requirement established or promulgated under this Act. Except as provided in sections 103(e) and 104, nothing in this Act shall be construed to prohibit a State from enacting and enforcing a standard or requirement that is more stringent than a standard or requirement established or promulgated under this Act.

#### SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

### TITLE I—RECHARGEABLE BATTERY RECYCLING ACT

#### SEC. 101. SHORT TITLE.

This title may be cited as the "Rechargeable Battery Recycling Act".

#### SEC. 102. PURPOSE.

The purpose of this title is to facilitate the efficient recycling or proper disposal of used nickel-cadmium rechargeable batteries, used small sealed lead-acid rechargeable batteries, other regulated batteries, and such rechargeable batteries in used consumer products, by—

(1) providing for uniform labeling requirements and streamlined regulatory requirements for regulated battery collection programs; and

(2) encouraging voluntary industry programs by eliminating barriers to funding the collection and recycling or proper disposal of used rechargeable batteries.

#### SEC. 103. RECHARGEABLE CONSUMER PRODUCTS AND LABELING.

##### (a) PROHIBITION.—

(1) IN GENERAL.—No person shall sell for use in the United States a regulated battery that is ready for retail sale or a rechargeable consumer product that is ready for retail sale, if such battery or product was manufactured on or after the date 12 months after the date of enactment of this Act, unless the

labeling requirements of subsection (b) are met and, in the case of a regulated battery, the regulated battery—

(A) is easily removable from the rechargeable consumer product; or

(B) is sold separately.

(2) APPLICATION.—Paragraph (1) does not apply to any of the following:

(A) The sale of a remanufactured product unit unless paragraph (1) applied to the sale of the unit when originally manufactured.

(B) The sale of a product unit intended for export purposes only.

(b) LABELING.—Each regulated battery or rechargeable consumer product without an easily removable battery manufactured on or after the date that is 1 year after the date of enactment of this Act, whether produced domestically or imported shall bear the following labels:

(1) 3 chasing arrows or a comparable recycling symbol.

(2)(A) On each regulated battery which is a nickel-cadmium battery, the chemical name or the abbreviation "Ni-Cd" and the phrase "BATTERY MUST BE RECYCLED OR DISPOSED OF PROPERLY."

(B) On each regulated battery which is a lead-acid battery, "Pb" or the words "LEAD", "RETURN", and "RECYCLE" and if the regulated battery is sealed, the phrase "BATTERY MUST BE RECYCLED."

(3) On each rechargeable consumer product containing a regulated battery that is not easily removable, the phrase "CONTAINS NICKEL-CADMIUM BATTERY. BATTERY MUST BE RECYCLED OR DISPOSED OF PROPERLY." or "CONTAINS SEALED LEAD BATTERY. BATTERY MUST BE RECYCLED.", as applicable.

(4) On the packaging of each rechargeable consumer product, and the packaging of each regulated battery sold separately from such a product, unless the required label is clearly visible through the packaging, the phrase "CONTAINS NICKEL-CADMIUM BATTERY. BATTERY MUST BE RECYCLED OR DISPOSED OF PROPERLY." or "CONTAINS SEALED LEAD BATTERY. BATTERY MUST BE RECYCLED.", as applicable.

(c) EXISTING OR ALTERNATIVE LABELING.—

(1) INITIAL PERIOD.—For a period of 2 years after the date of enactment of this Act, regulated batteries, rechargeable consumer products containing regulated batteries, and rechargeable consumer product packages that are labeled in substantial compliance with subsection (b) shall be deemed to comply with the labeling requirements of subsection (b).

(2) CERTIFICATION.—

(A) IN GENERAL.—On application by persons subject to the labeling requirements of subsection (b) or the labeling requirements promulgated by the Administrator under subsection (d), the Administrator shall certify that a different label meets the requirements of subsection (b) or (d), respectively, if the different label—

(i) conveys the same information as the label required under subsection (b) or (d), respectively; or

(ii) conforms with a recognized international standard that is consistent with the overall purposes of this title.

(B) CONSTRUCTIVE CERTIFICATION.—Failure of the Administrator to object to an application under subparagraph (A) on the ground that a different label does not meet either of the conditions described in subparagraph (A) (i) or (ii) within 120 days after the date on which the application is made shall constitute certification for the purposes of this Act.

(d) RULEMAKING AUTHORITY OF THE ADMINISTRATOR.—

(1) IN GENERAL.—If the Administrator determines that other rechargeable batteries having electrode chemistries different from regulated batteries are toxic and may cause substantial harm to human health and the environment if discarded into the solid waste stream for land disposal or incineration, the Administrator may, with the advice and counsel of State regulatory authorities and manufacturers of rechargeable batteries and rechargeable consumer products, and after public comment—

(A) promulgate labeling requirements for the batteries with different electrode chemistries, rechargeable consumer products containing such batteries that are not easily removable batteries, and packaging for the batteries and products; and

(B) promulgate requirements for easy removability of regulated batteries from rechargeable consumer products designed to contain such batteries.

(2) SUBSTANTIAL SIMILARITY.—The regulations promulgated under paragraph (1) shall be substantially similar to the requirements set forth in subsections (a) and (b).

(e) UNIFORMITY.—After the effective dates of a requirement set forth in subsection (a), (b), or (c) or a regulation promulgated by the Administrator under subsection (d), no Federal agency, State, or political subdivision of a State may enforce any easy removability or environmental labeling requirement for a rechargeable battery or rechargeable consumer product that is not identical to the requirement or regulation.

(f) EXEMPTIONS.—

(1) IN GENERAL.—With respect to any rechargeable consumer product, any person may submit an application to the Administrator for an exemption from the requirements of subsection (a) in accordance with the procedures under paragraph (2). The application shall include the following information:

(A) A statement of the specific basis for the request for the exemption.

(B) The name, business address, and telephone number of the applicant.

(2) GRANTING OF EXEMPTION.—Not later than 60 days after receipt of an application under paragraph (1), the Administrator shall approve or deny the application. On approval of the application the Administrator shall grant an exemption to the applicant. The exemption shall be issued for a period of time that the Administrator determines to be appropriate, except that the period shall not exceed 2 years. The Administrator shall grant an exemption on the basis of evidence supplied to the Administrator that the manufacturer has been unable to commence manufacturing the rechargeable consumer product in compliance with the requirements of this section and with an equivalent level of product performance without the product—

(A) posing a threat to human health, safety, or the environment; or

(B) violating requirements for approvals from governmental agencies or widely recognized private standard-setting organizations (including Underwriters Laboratories).

(3) RENEWAL OF EXEMPTION.—A person granted an exemption under paragraph (2) may apply for a renewal of the exemption in accordance with the requirements and procedures described in paragraphs (1) and (2). The Administrator may grant a renewal of such an exemption for a period of not more than 2 years after the date of the granting of the renewal.

**SEC. 104. REQUIREMENTS.**

(a) **BATTERIES SUBJECT TO CERTAIN REGULATIONS.**—The collection, storage, or transportation of used rechargeable batteries, batteries described in section 3(5)(C) or in title II, and used rechargeable consumer products containing rechargeable batteries that are not easily removable rechargeable batteries, shall, notwithstanding any law of a State or political subdivision thereof governing such collection, storage, or transportation, be regulated under applicable provisions of the regulations promulgated by the Environmental Protection Agency at 60 Fed. Reg. 25492 (May 11, 1995), as effective on May 11, 1995, except as provided in paragraph (2) of subsection (b) and except that—

(1) the requirements of 40 CFR 260.20, 260.40, and 260.41 and the equivalent requirements of an approved State program shall not apply, and

(2) this section shall not apply to any lead acid battery managed under 40 CFR 266 subpart G or the equivalent requirements of an approved State program.

(b) **ENFORCEMENT UNDER SOLID WASTE DISPOSAL ACT.**—(1) Any person who fails to comply with the requirements imposed by subsection (a) of this section may be subject to enforcement under applicable provisions of the Solid Waste Disposal Act.

(2) States may implement and enforce the requirements of subsection (a) if the Administrator finds that—

(A) the State has adopted requirements that are identical to those referred to in subsection (a) governing the collection, storage, or transportation of batteries referred to in subsection (a); and

(B) the State provides for enforcement of such requirements.

## **TITLE II—MERCURY-CONTAINING BATTERY MANAGEMENT ACT**

**SEC. 201. SHORT TITLE.**

This title may be cited as the "Mercury-Containing Battery Management Act".

**SEC. 202. PURPOSE.**

The purpose of this title is to phase out the use of batteries containing mercury.

### **SEC. 203. LIMITATIONS ON THE SALE OF ALKALINE-MANGANESE BATTERIES CONTAINING MERCURY.**

No person shall sell, offer for sale, or offer for promotional purposes any alkaline-manganese battery manufactured on or after the date of enactment of this Act, with a mercury content that was intentionally introduced (as distinguished from mercury that may be incidentally present in other materials), except that the limitation on mercury content in alkaline-manganese button cells shall be 25 milligrams of mercury per button cell.

### **SEC. 204. LIMITATIONS ON THE SALE OF ZINC-CARBON BATTERIES CONTAINING MERCURY.**

No person shall sell, offer for sale, or offer for promotional purposes any zinc-carbon battery manufactured on or after the date of enactment of this Act, that contains mercury that was intentionally introduced as described in section 203.

### **SEC. 205. LIMITATIONS ON THE SALE OF BUTTON CELL MERCURIC-OXIDE BATTERIES.**

No person shall sell, offer for sale, or offer for promotional purposes any button cell mercuric-oxide battery for use in the United States on or after the date of enactment of this Act.

### **SEC. 206. LIMITATIONS ON THE SALE OF OTHER MERCURIC-OXIDE BATTERIES.**

(a) **PROHIBITION.**—On or after the date of enactment of this Act, no person shall sell,

offer for sale, or offer for promotional purposes a mercuric-oxide battery for use in the United States unless the battery manufacturer, or the importer of such a battery—

(1) identifies a collection site in the United States that has all required Federal, State, and local government approvals, to which persons may send used mercuric-oxide batteries for recycling or proper disposal;

(2) informs each of its purchasers of mercuric-oxide batteries of the collection site identified under paragraph (1); and

(3) informs each of its purchasers of mercuric-oxide batteries of a telephone number that the purchaser may call to get information about sending mercuric-oxide batteries for recycling or proper disposal.

(b) **APPLICATION OF SECTION.**—This section does not apply to a sale or offer of a mercuric-oxide button cell battery.

**SEC. 207. NEW PRODUCT OR USE.**

On petition of a person that proposes a new use for a battery technology described in this title or the use of a battery described in this title in a new product, the Administrator may exempt from this title the new use of the technology or the use of such a battery in the new product on the condition, if appropriate, that there exist reasonable safeguards to ensure that the resulting battery or product without an easily removable battery will not be disposed of in an incinerator, composting facility, or landfill (other than a facility regulated under subtitle C of the Solid Waste Disposal Act (42 U.S.C. 6921 et seq.)).

The **SPEAKER** pro tempore. (Mr. UPTON). Pursuant to the rule, the gentleman from Ohio [Mr. OXLEY] and the gentleman from New Jersey [Mr. PALLONE] will each be recognized for 20 minutes.

The Chair recognizes the gentleman from Ohio [Mr. OXLEY].

Mr. OXLEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am proud to be on the House floor today with broad bipartisan support for pro-environmental legislation that originated in the subcommittee I chair.

H.R. 2024, the Mercury-Containing and Rechargeable Battery Management Act, is the second bipartisan environmental bill we have brought to the floor from the Subcommittee on Commerce, Trade, and Hazardous Materials, the first being the Land Disposal Flexibility Act, which has been signed into law. Any discussion of this Congress' environmental record needs to acknowledge the good bipartisan work we are doing.

This battery bill proves an important point: we can improve the environment by reducing government regulations, and by reducing burdens on industry. This bill reduces regulations, and the result will be less cadmium in our ground water and our air.

Right now, cadmium is classified as a hazardous waste, so spent nickel-cadmium rechargeable batteries are hazardous wastes too. Hazardous wastes are subject to all sorts of disposal, handling, storage, and transportation regulations, like disposal in specially permitted subtitle C landfills, record-keeping, reporting, manifesting and so on.

If your nickel-cadmium battery at home ran out of power, you could just throw it in the trash and not be subject to the hazardous waste regulations, because the law exempts household waste. But if you took the battery back to the store to recycle it, all of a sudden it would be subject to the hazardous waste regulations.

We want consumers to take rechargeable batteries back to the store and have them recycled. But retail stores don't want to touch used batteries under the current hazardous waste requirements, because it would cost them an arm and a leg, and subject them to fines and penalties if they don't comply.

This bill solves the problem by exempting rechargeable batteries from hazardous waste regulations so we can recycle. Retailers collecting these batteries for recycling will only need comply with the Universal Waste Rule, which does away with most of the onerous hazardous waste regulations. The reduced regulation doesn't pose an environmental threat. After all, the batteries are in the same condition when you throw them away as they are when you buy them. They don't become more hazardous in between.

This bill also requires battery labeling so consumers know the batteries can be recycled, and it bans mercury in several battery types, which will reduce mercury in our air and ground water.

We made two minor changes since this bill passed the Commerce Committee by voice vote. First, we changed the effective date of the mercury ban to the date of enactment. Second, we clarified the enforcement provision so importers who have knowledge of the contents of the batteries they import can be enforced against if the batteries violate the mercury ban.

I want to thank the bill's sponsor, Congressman KLUG, for his efforts, as well as the gentleman from New Jersey, Congressman PALLONE. I would also like to thank the chairman of the full committee for his leadership on this issue in bringing the bill to the floor in a timely fashion.

Mr. Speaker, I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of the legislation. This is a bipartisan bill that is supported by the Clinton administration and was reported out of the committee unanimously last week. I will include in the RECORD a letter from the Clinton administration in support of the legislation.

Mr. Speaker, I first became involved with this legislation because New Jersey has a very serious mercury problem. In February of 1994, the State released a study that showed some fish in over half of the State's lakes with elevated mercury levels. These fish reflected increased mercury levels in the



atmosphere. In addition, the Asbury Park Press, a newspaper in my district, did an outstanding investigative report over a number of days on the dangers and sources of mercury.

Mercury enters the atmosphere and the food chain in a number of ways, but among the most significant sources are coal-fired utilities and solid waste incinerators. Many of the components of garbage burned by incinerators contain mercury, and incinerators then release the mercury into the atmosphere, which then reaches the ground through rain, snow, and other precipitation.

As its title implies, the bill deals with mercury in a comprehensive fashion, including a user fee on mercury air emissions, reduction of mercury in packaging, mandatory separation of mercury-containing items from the waste stream, and a requirement for an EIS in order to site an incinerator.

At one time, batteries may have accounted for as much as 60 percent of the mercury being released from municipal solid waste incinerators, but today batteries basically do not account for anywhere nearly as high a percentage of the mercury emitted into the atmosphere.

I think it is clearly important to recognize the battery industry for its accomplishments in this area. The industry has made tremendous strides in reducing the mercury content of batteries, and now we are considering legislation that is supported by the industry that bans virtually all mercury containing batteries. That is no small feat.

But non-mercury-containing batteries also contain other heavy metals and chemicals which can prove hazardous to human health and the environment if they are incinerated or landfilled. The bill before us that the gentleman from Wisconsin [Mr. KLUG], myself, and others have introduced, and I have to specifically mention the gentleman from New Mexico [Mr. RICHARDSON] who is the original sponsor of this bill in previous Congresses, but basically what this bill does for these other issues, such as nickel-cadmium and other hazardous items other than mercury, it provides a coherent national system of handling for batteries and products, it streamlines regulatory requirements for battery collection programs, and it encourages voluntary industry programs by eliminating barriers to funding the collection and recycling or proper disposal of used rechargeable batteries.

I just wanted to mention one more thing, Mr. Speaker. At the hearings our subcommittee held, the EPA raised some concerns about certain provisions in this bill. I criticized the agency for bringing its concerns to our attention many months after the bill passed the Senate and had been introduced.

Working together, the gentleman from Ohio [Mr. OXLEY] myself, the gen-

tleman from Wisconsin [Mr. KLUG], the gentleman from Michigan [Mr. DINGELL] and others were able to address these concerns. Among other things, the amendments adopted by the committee close unintended loopholes in enforcement, allow States to implement and enforce the act, and make clear that the Administrator can invoke the Solid Waste Disposal Act against those who fail to comply with the provisions of the bill.

I also want to note one change that has been made to the bill since it left committee. This change as reported by the committee is a change to the bill as reported and clarifies that the Administrator of EPA may enforce title II against any retailer-importer who has knowledge of the general chemical content of the general chemical content of the imported battery. However, the change allows the defense where the retailer-importer lacks such information, because, for example, of the duplicity of the overseas manufacturer.

I do not want to get into more detail. It is a good bill. It has bipartisan support. I commend the chairman and the other members, the gentleman from New Mexico [Mr. RICHARDSON], the gentleman from Wisconsin [Mr. KLUG] for their involvement.

Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Speaker, I thank the gentleman for yielding me time and for his support and work on this legislation.

Let me just say, Mr. Speaker, that this legislation will not clean up. It may recycle batteries, but it will not clean up the record of the Republicans on the environment as this agenda is supposed to do.

I note the previous speaker, the chairman of the subcommittee, that just spoke, recently voted five times against protecting our environment, against protecting children from arsenic in their drinking water, against adequate funding for our Nation's toxic cleanup program, to stop EPA from protecting America's exposure to arsenic, dioxin, and other cancer causing pollutants, to allow corporate polluters to dump 70,000 chemicals into our Nation's rivers, lakes, and streams, and to allow industry to pollute our drinking water.

So while the gentleman and others who will speak on this bill from your side of the aisle can earn a figleaf, and we will be glad to give them a figleaf to cover themselves when they support this legislation, but, under that figleaf, what you will see is in fact their environmental record for the past 16 months, which has been against environmental protection and, in many instances, providing much more pollution than we will ever be able to prevent by passing this recycling bill. This is a good bill, but it does not erase that record.

Mr. OXLEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I cannot resist responding to what I guess is a predictable response from the far left. Here we are, trying to craft a bipartisan environmental bill dealing with rechargeable batteries and recycling. It is unfortunate we have to already in the early part of the day resort to political palaver about the environmental issues. It is unfortunate, but I guess predictable.

Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin [Mr. KLUG], the sponsor of the battery bill.

Mr. KLUG. Mr. Speaker, I would like to thank the gentleman from Ohio [Mr. OXLEY], the gentleman from Virginia [Mr. BLILEY], and the gentleman from New Jersey [Mr. PALLONE], for all of their help in this legislation and helping to move it forward.

Mr. Speaker, the American people are consumers of millions of rechargeable ni-cad batteries. I introduced this legislation because it offers a sound solution to a serious environmental problem. This legislation gives the battery industry the ability to implement a fully private, let me say that again, fully private, voluntary, national program to collect and recycle spent ni-cad batteries.

This recycling program is already running in several pilot programs in different areas of the country, but a multitude of different State labeling and collection regulations, as well as Federal waste regulations, have prevented the industry from fully implementing it on a national level.

Under H.R. 2024, regulations governing battery collection and recycling programs will be streamlined and a comprehensive, uniform system of battery labeling will now be established nationwide.

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In addition to establishing a nationwide recycling program for ni-cad batteries, H.R. 2024, importantly phases out the use of mercury in other batteries. Studies have shown mercury is a serious health threat to both human health and the environment. It can damage the brain, the kidneys, in addition, and also the developing fetus. It is time that Congress take the lead in removing this dangerous element from our waste stream.

H.R. 2024 is not controversial and enjoys wide bipartisan support. The other body passed similar legislation by unanimous consent last September. In addition, H.R. 2024 is supported by the National Retail Federation, the U.S. Conference of Mayors, the National Electrical Manufacturers Association, the Electronic Industries Association, the Central Virginia Waste Management Authority and, perhaps more importantly, my home Governor, Governor Thompson of Wisconsin.

Again, Mr. Speaker, this legislation has tremendous support across the board and across the aisle, and let me reiterate one more time my deep thanks to my colleague, the gentleman from New Jersey, Mr. PALLONE, for his great help in moving this legislation forward and to my friend and colleague from Ohio, Mr. OXLEY, for having the courtesy and good sense to move this legislation forward as well. Both regulator and the regulated community agree that the Government should take steps to reduce the presence of nickel cadmium and mercury from the solid waste stream.

I also believe we must do something about this problem and I am hopeful we can quickly implement this bipartisan legislation. Within a matter of days of signing this bill into law we can set forth a completely voluntary and industry financed recycling program that will provide enhanced environmental protection without burdening the States or without burdening the taxpayers.

I urge my colleagues to support H.R. 2024.

Mr. PALLONE. Mr. Speaker, I yield 30 seconds to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Again to state, Mr. Speaker, that we will be delivering a fig leaf to the gentleman from Wisconsin's office so he can use it to try to hide his environmental record when earlier this year he voted to stop EPA from protecting against the dumping of 70,000 chemicals in our Nation's rivers and allowing industry to pollute our drinking water.

Voting to recycle batteries will not cover that up, and the fig leaf will be delivered to his office later today.

Mr. OXLEY. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey [Mr. SAXTON].

Mr. SAXTON. Mr. Speaker, I am sorry the gentleman from California [Mr. MILLER] has chosen to make a partisan political debate with fig leaves and gimmicks. This afternoon was structured to be productive and it was structured, in particular, in a bipartisan way.

We, for example, are going to consider a bill this afternoon known as the Coastal Zone Protection Act, which has 130 signatures, about half Republicans and half Democrats. We are going to have a number of bills, one sponsored by the gentlewoman from Hawaii [Mrs. MINK], a Democrat; another sponsored by the gentleman from New York [Mr. FORBES], a Republican; we will have another, the North Platte Refuge Act, by the gentleman from Nebraska [Mr. BARRETT]; another sponsored by the gentleman from Louisiana [Mr. MCCRERY], a Republican. So we have gone out of our way, Mr. Speaker, to make this a bipartisan effort this afternoon to do some things that are good that we all agree on in the name of the environment.

I am sorry that the gentleman from California insists on performing the way he has with fig leaves and other gimmicks. I think it is not what the American people expect. My constituents expect me to come to Washington to pass legislation that does things they want done. I would think the gentleman's constituents would want the same.

Mr. PALLONE. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Speaker, I thank the gentleman for yielding me this time, and I appreciate the sensitivity of the gentleman because he too will earn a fig leaf since he voted wrong three out of five times.

The issue is not about these bills. The issue is about the continued record that has not been bipartisan, where Members have again chosen time and again to increase the ability of polluters to dump pollution, to dump toxics into the rivers, the lakes, and the waterways of this Nation. That is the gentleman's voting record.

The gentleman is not going to hide that voting record by voting on bills that have basically unanimous support and that are noncontroversial, and then suggest that represents his environmental voting record, at the same time that we see the Committee on Appropriations continuing the riders that have been so detrimental to the environment.

Those are the facts and I appreciate the gentleman's sensitivity.

Mr. OXLEY. Mr. Speaker, I yield 1 minute to the gentleman from Colorado [Mr. SCHAEFER], the chairman of the Subcommittee on Energy and Power.

Mr. SCHAEFER. Mr. Speaker, I rise today in strong support of this commonsense legislation. I commend industry, the Environmental Protection Agency [EPA], and the environmental community in their efforts to craft consensus proposal.

Currently, businesses, trying to do the right thing by implementing battery recycling programs are stymied by a patchwork of State laws. This legislation replaces the current random system with reasonable uniform national standards for the transporting, selling, recycling, and disposing of batteries.

With this bill, the battery industry will be able to launch a voluntary recycling campaign that will keep batteries out of local landfills and incinerators. Additionally, this measure will phase out mercury-based batteries that currently threaten our Nation's groundwater and air.

I am particularly pleased with the process that resulted in the development of this bill. The business community was able to come together with environmental regulators to produced a sensible piece of legislation with broad bipartisan backing.

It is my hope that we can continue this cooperative spirit as we move forward with consideration of additional environmental initiatives.

Mr. Speaker, I urge my colleagues to adopt this reasonable, consensus bill.

Mr. PALLONE. Mr. Speaker, I yield 30 seconds to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Again, Mr. Speaker, I want to award a fig leaf to the gentleman from Colorado who has voted five out of five times against improving our environment and allowing arsenic to continue in the drinking water of children and against adequate funding for cleaning up the Nation's toxic waste program and to continue to allow corporate polluters to dump up to 70,000 chemicals in our Nation's rivers and lakes. The gentleman has a perfect score of five for five that he was on the wrong side of the environment, and he earned his fig leaf.

Mr. OXLEY. Mr. Speaker, it is always good to hear from the far left, even if it is just 30 seconds.

Mr. Speaker, I yield such time as he may consume to the gentleman from North Carolina [Mr. BURR].

Mr. BURR. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I say to my good friend from California that I accept my fig leaf before I speak, knowing that I am going to get one, and saying proudly that I am not accepting it to hide behind. I do not hide behind anything I have done while I have been here that I think is in fact right, and in fact I have done what I think voters sent me here to do. That is to try to strike the right balance.

But I rise today in support of H.R. 2024. This legislation, passed out of the Committee on Commerce on a bipartisan basis, will promote recycling of used batteries that currently end up in landfills and incinerators. Innocently, consumers like myself dispose of batteries that leak mercury and cadmium into the groundwater and cause toxic air emissions when incinerated. Today, batteries account for 68 percent of the cadmium in landfills and 85 percent of the mercury. This possible hazard is not acceptable, and I, for one, will appreciate the opportunity to dispose of my batteries in an environmentally sound manner.

With passage of H.R. 2024, consumers will be able to walk into any store that sells batteries and leave them for recycling. Consumers will be able to read right on the label, through uniform labeling, that the battery they have purchased is recyclable. All retailers have to do is to set up battery recycling receptacles. Furthermore, H.R. 2024 allows the battery industry to launch a voluntary recycling program which will promote the shipments of used batteries to a central recycling center directly from the retailer.

This is perfect common-sense environmental legislation. H.R. 2024 does



not create an expensive, out-of-control Government program. The shipments of batteries to the recycling center will be prepaid for by the Rechargeable Battery Recycling Corp., which is made up of nearly every one of the battery manufacturers and consumer industry interests.

I cannot imagine a more convenient process. This bill will accomplish removing batteries related mercury and cadmium from the waste stream, which means a healthier safer environment for all.

This is common sense, Mr. Speaker, commonsense legislation that we should enact today on a bipartisan basis.

Mr. PALLONE. Mr. Speaker, I yield 30 seconds to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Speaker, I thank the gentleman for yielding me the time.

The previous speaker in the well quite properly predicted he too will earn a fig leaf. He quite properly stated he will not be able to hide behind it because right now we are sending all the heavy hitters against the environment to the well. He, too, had a perfect score of five for five against protecting children from arsenic in their drinking water, against adequate funding for our Nation's toxic waste cleanup programs to allow industry to pollute our drinking water and an effort to stop EPA from protecting Americans from exposure to arsenic, dioxin, lead and other cancer-causing pollutants. The gentleman has a perfect score; he earned his fig leaf.

Mr. OXLEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it appears the other side does not have a whole lot of substantive arguments in favor of this legislation, which is unfortunate. Our good friend from New Mexico and good friend from New Jersey are carrying a lot of water for some other folks. It is nice they drafted somebody from the other committee to come in and be a designated hitter, and I do mean hitter.

Mr. Speaker, I yield 1 minute to the gentleman from Georgia [Mr. DEAL].

Mr. DEAL of Georgia. Mr. Speaker, I thank the gentleman for yielding me the time.

I walked in and thought this was a debate about horticulture. I would suggest to the gentleman from California his analogy to the realm of the horticultural area would be more in the nature of sour grapes rather than fig leaves, however.

Let us talk about the issue here, however. The issue is one that is important to our Nation and my State. I recently had an opportunity to visit one of the manufacturing plants in my State that utilizes the batteries that will be used in this recycling process. I think that H.R. 2024, which is the Mercury Containing and Rechargeable Bat-

tery Management Act, is the kind of bill all of us certainly will support. It would maximize the environmental protection and resource recovery through a vigorous voluntary recycling program.

I think it is the kind of legislation that all of us should support in that it encourages people to do voluntarily both at the consumer level, at the retail level and at the manufacturer's level what all of us would like to do, and that is to reduce the toxins in our environment.

H.R. 2024, the Mercury Containing and Rechargeable Battery Management Act, is a bill which maximizes environmental protection and resource recovery through a vigorous, voluntary recycling program. H.R. 2024 will make it more efficient, and less costly to handle batteries in an environmentally sound manner. It will phase out the use of mercury in batteries nationally and is consistent with many State laws. Last, H.R. 2024 is an important step in reducing toxics in the waste stream without imposing expensive mandates on local governments. The bill has enjoyed bipartisan support in both the House and Senate and is supported by the Clinton administration.

I would like to make two additional comments in regard to this legislation that I hope the public will take note of. First, I would like to recognize and commend both the Republican and Democratic staff for their hard work in crafting a bill that all parties could agree on. While there may have been differences along the way, you established a common ground from which you could work together to develop a solution. It is unfortunate that bipartisan environmental efforts such as these are too often overlooked.

Second, let me emphasize that Republicans are respectful of American's desire to protect the environment. We embrace opportunities to work with our colleagues across the aisle in any effort to strengthen and improve our Nation's environmental laws.

H.R. 2024 is an important example of our commitment. It is my hope that the public will look beyond the political rhetoric and media bias that is typically associated with environmental legislation. The fact is that Republicans have the same environmental concerns as our constituents. H.R. 2024 is but one example of how we are addressing the issue of solid waste disposal. This is a bill that we can all be proud of. I believe that many more opportunities exist for me to return to this well and tell the public what Republicans are doing to protect the environment.

Mr. PALLONE. Mr. Speaker, I yield 3 minutes to the gentleman from New Mexico [Mr. RICHARDSON].

Mr. RICHARDSON. Mr. Speaker, my only regret is that this legislation has taken so long to progress through the Congress. As I mentioned before, I introduced a similar bill in the 103d Congress. It is good that we are making this initiative now so that it becomes law.

Mr. Speaker, this legislation that we are considering today seeks to protect our environment by providing real relief from the toxic effects of mercury,

lead and cadmium in landfills and incinerators. This bill, which I am a co-sponsor of, and its counterpart in the other body shares the same goal of removing regulatory barriers to the implementation of an industry sponsored program to collect and recycle ni-cad rechargeable batteries.

Currently, 350 million nickel batteries are being sold in the country each year, and about 40 percent are sold to household consumers. Most of these batteries will therefore end up in solid waste landfills, since households have no alternative opportunity to recycle.

The legislation we are discussing today is going to inform consumers that these batteries can be recycled. In fact, consumers are conveniently going to be able to return used rechargeable batteries to battery retailers who will have collection containers at their stores.

There is wide consensus and support of this issue. The bills have been endorsed by the Conference of Mayors, the National Conference of State Legislators, and industry has made a positive effort in moving this bill. I am pleased to join these groups in supporting legislation that does offer workable solutions.

Mr. Speaker, I understand that there are some concerns regarding this legislation. I hope we can work them out to resolve these concerns so that we can finally see this important issue become law.

Mr. Speaker, I think the point that needs to be made is, now that it appears that we are moving with some environmental initiatives in the Committee on Commerce, I would commend the gentleman from Ohio [Mr. OXLEY], the chairman, and urge him to move ahead on some other very important initiatives, a bipartisan bill that does not pass a cleanups on the taxpayer, a safe drinking water bill that keeps public health as a top priority.

I think for those of us that also serve on the Committee on Resources, let us move ahead with a sensible parks reform bill, not a bill that moves ahead to try to shut down some of our national parks. A fair concessions bill that does not make it easier for concessionaires and the big operators to have a sweetheart deal as they manage the national parks.

In addition to that, a bill that is fair on the grazing issue is coming up in the Committee on Resources very soon. Let us make these bipartisan. Chairman OXLEY is somebody who has crafted bipartisan bills. I urge him in the days ahead, besides this commendable effort, to move in that direction on some of the bills I mentioned.

Today, though, this battery recycling bill is a good bill. It should be approved. It is bipartisan. But we have to move beyond this small bill into the major issues affecting the environment in the days ahead.

□ 1515

Mr. OXLEY. Mr. Speaker, I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield such time as he may consume to the gentleman from California, [Mr. MILLER].

Mr. MILLER of California. Mr. Speaker, I would just say that if the Yankees had such heavy hitters in their lineup as you have against the environment, they would win the World Series. The gentleman from Georgia, [Mr. DEAL], who just spoke earlier in the well in favor of this legislation, in fact has a perfect record of voting 5 for 5 against the environment, against protecting children from arsenic in their drinking water and against adequate funding for our Nation's toxic waste cleanup to allow corporate polluters to dump 70,000 chemicals in our Nation's rivers and to allow industry to pollute our drinking water and to stop the EPA from protecting America from arsenic, dioxin, lead and other cancer-causing pollutants. So, again, a perfect score for Mr. DEAL of Georgia against the environment. Once again, he has earned his fig leaf, but he will not be allowed to hide it when his real environmental record is exposed against the legislation today.

Mr. OXLEY. Mr. Speaker, if the gentleman from New Jersey will proceed, then I will be glad to close.

Mr. PALLONE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me say, that I believe that this battery recycling bill is an important bill, as is the Coastal Zone Management Act which I believe we will be taking up next. They are important to my district, to the State of New Jersey. But I think that what we are hearing from our side of the aisle is a tremendous frustration over the fact that major pieces of legislation that relate to the environment, such as the Superfund, which is before the Committee on Commerce, such as safe drinking water, such as the Clean Water Act, which already passed this House, that consistently over the last year, since the beginning of 1995, the Republican leadership has made an effort to weaken major environmental laws and also has made a major effort to cut back on the amount of money that is available through appropriation bills, through the budget bill for environmental enforcement.

I was very saddened really to learn today that even though it is the day after Earth Day and even though the Republican leadership and my colleagues on the Committee on Commerce on the other side are bringing up these bills today that are important, that nonetheless, we continue to see an effort by Speaker GINGRICH and the leadership to press on through the appropriations process in providing less money for environmental enforcement and also in insisting on continuing

with these antienvironmental riders in the appropriation bills.

We were out on the lawn in front of the Capitol just about an hour ago, Mr. MILLER and myself, and also the gentleman from Wisconsin [Mr. OBEY]. And we were told that the gentleman from Louisiana [Mr. LIVINGSTON] and the Republican leadership insist on antienvironmental riders that would eliminate the EPA's role in wetlands protection, eliminate the possibility of designating for Superfund sites, not allowing the EPA to proceed with standards for radon, even though in my home State of New Jersey that is a major issue because of the radon and radiation contamination that has been found in some of the drinking water in Ocean County.

So we are extremely upset over the fact that the Republican leadership continues this effort to turn back the clock on environmental protection. As much as we are supportive of the bills that are coming up today, we insist upon the fact that we will make a point over the next few weeks and certainly over the next few months until such time as we are successful in stopping this Republican raid on the environment.

Mr. Speaker, I yield back the balance of my time.

Mr. OXLEY. Mr. Speaker, we have been blessed by the chairman of the Committee on Resources who has been drawn to this debate.

Mr. Speaker, I yield 2 minutes to the gentleman from Alaska [Mr. YOUNG].

Mr. YOUNG of Alaska. Mr. Speaker, I came to the floor because I have been listening to the tirade. Very frankly, I was questioning the validity of some of the arguments. We are talking about a very good bill here on this side of the aisle.

All I hear Members say on the other side is that for some reason Republicans are going to sell the national parks. That is an outright distortion. That is an outright distortion that is being said by Secretary Babbitt. In fact, it is being said by that side of the aisle.

I just wanted the people that might be watching this show to say, and show me anyplace, anytime anywhere we ever suggested such an action on this side. The bill, in fact, Mr. Babbitt says that we are trying to pass to sell the park was his bill. It was supported by the gentleman from Minnesota [Mr. VENTO]. It was voted on by Mr. MILLER. It was voted on that side of the aisle last session when they were in power.

Now all of a sudden we are the bad guys. Now, shame on you. I am going to suggest respectfully what is occurring here is a gamut for this television for people that watch it to tell some things that have been distorted completely out of context and where they do not take the responsibility. I have listened to the gentleman from New

Jersey be on the floor one time. One time I was sitting in the chair. I had to listen to the nonsense that he spouts, and it is nonsense about how bad we are. And I challenged him, show us where. What have we done in our committee that has been bad? Nothing. We have done everything good, 13 bills have been signed out of the committee by this President. Some of those he did not vote for, but the President did sign them.

So I think it is time we bring a little light to this subject here, a little back to what we are talking about, this bill today, this small battery bill to try to dispose of something that could be damaging, a bill that came out of Mr. OXLEY's committee that is non-controversial. To have this kind of rhetoric continued on and on is totally, I think, irresponsible.

Mr. PALLONE. Mr. Speaker, I ask unanimous consent to reclaim my time. My understanding, from the gentleman from Ohio [Mr. OXLEY], was that he was going to be the last speaker and that he would close. Now that the gentleman from Alaska [Mr. YOUNG] has spoken, I would ask to reclaim my time.

The SPEAKER pro tempore [Mr. UPTON]. Is there objection to the request of the gentleman from New Jersey?

Mr. YOUNG of Alaska. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

Mr. OXLEY. Mr. Speaker, I yield myself such time as I may consume to close.

Mr. Speaker, it is unfortunate, given all of the work that was done on this battery bill, the fact that we heard testimony from the EPA. Much of the testimony at the time when it was taking place in our subject committee, was criticized by the gentleman from New Jersey as being unrealistic and rather nitpicking. I think was the term he used. But despite that, we worked very hard on a bipartisan basis to put together a good piece of legislation, a bill that passed unanimously in the Senate.

It had a great deal of momentum, that was supported by industry, as a matter of fact encouraged by industry, supported by virtually every environmental group. To bring it to the floor and end up with some kind of a dog and pony show orchestrated by the gentleman from New Jersey and his cohort from California is really, I think, unfortunate in this situation.

When we start dealing with bills like Superfund, I am assuming the gentleman from California and I know my friend from New Jersey are very supportive of getting a good Superfund reform bill out there. Everybody assumes, everybody knows that the existing Superfund law is badly flawed and needs fixing. That is what we have been working on. I would hate to think, Mr.



Speaker, that somehow if we brought a bipartisan Superfund bill to this floor, which is our goal, that we would have the kind of cheap shots that are taking place on the floor of this House on a very important issue.

So I am very disappointed today. If the gentleman wants to vote against the battery bill, then go ahead and yell "no" as loud as you want to. But I would suggest if you are serious about environmental protection, instead of making slogans and little cutouts for television, you would by very supportive of this strong bipartisan bill that will get a lot of mercury and cadmium out of the system and help clean up the environment.

You can have it one or two ways, but you cannot have it both ways.

Mr. GILLMOR. Mr. Speaker, I rise in strong support of H.R. 2024, the Mercury-Containing and Rechargeable Battery Management Act. I am an original cosponsor of this legislation and am glad that we are able to finally bring this bill to the floor.

Mercury and cadmium are elements that can cause significant environmental harm. The U.S. Public Health Service's Agency for Toxic Substances and Disease Registry report serious problems with mercury and cadmium contamination in landfills. In fact, within New York alone, batteries account for 68 percent of the cadmium at landfills and 85 percent of the mercury. The legislation before us today would help to make our landfills safer and less toxic by providing a more environmentally friendly alternative to current practices for battery disposal.

Specifically, H.R. 2024 addresses three necessary areas that are essential to getting an effective, private sector-driven program established. First, it educates consumers on the need to recycle by setting up a uniform labeling system for nickel-cadmium and other rechargeable batteries. Second, it removes command-and-control regulatory hurdles that now prohibit a viable, voluntary recycling program from existing. Third and lastly, it bans the use of mercury in some batteries and limits its use in others. These reforms should provide us commonsense benefits that resonate on several levels.

Mr. Speaker, this bill has suffered deaths in two previous Congresses that should not have occurred. Today's consideration is proof of the worthiness of the ideas contained in this bill. I am pleased that, unlike so many other bills in this Congress, we were able to work in a bipartisan fashion to find common ground and pass this legislation. I commend Chairman BULEY, the chairman of the subcommittee, Mr. OXLEY, Mr. PALLONE, and Mr. KLUG for their hard work on this bill.

Throughout this Congress, the House Commerce Committee and this House have spent time debating cleanup of hazardous waste sites, allocation of spectrum, reform of the telecommunications industry, and collection and management of waste streams. This bill has implications on all of them in that nickel-cadmium and related mercury containing batteries are used for cellular phones and laptop computers, whose widespread use will be escalating.

Yesterday, our country took time out during Earth Day activities to reflect on ways to make our environment better. Recycling has long been considered part of the environmental triumvirate of: reduce, reuse, and recycle. In fact, I believe this bill accomplishes all three of these tenets by limiting the use of mercury in batteries, moving these batteries out of the waste stream, and collecting the batteries for future purposes. I hope all my colleagues will see the wisdom of the efforts contained in herein and will overwhelmingly support this legislation.

Mr. STEARNS. Mr. Speaker, I rise today in support of this environmentally sound legislation. Through its comprehensive collection, education, and recycling programs, the Mercury-containing and Rechargeable Battery Management Act will effectively reduce the presence of mercury, cadmium, and other metals from batteries in the solid waste stream.

The use of as many as 2.5 billion dry cells every year has made significant contributions to the high levels of mercury and cadmium in the solid waste stream. As dry cell batteries break down, their toxic contents are released into groundwater resources. In incinerators, toxins are emitted through the combustion of these dry-cell batteries.

Through industry's collaboration with the EPA, State and local governments, retailers, and the recycling industry, a voluntary recycling program for nickel-cadmium batteries has been developed. The final step toward implementation of this program will be completed by passing this legislation today.

Two important provisions in this legislation establish uniform labeling procedures, and uniform collection, storage, and transportation requirements for these recyclable batteries. The labeling requirement will clearly inform those who buy the batteries that they are recyclable. The transportation requirements are streamlined, providing further encouragement for participation in this voluntary program.

The recycling program will promote the shipment of used batteries to a central recycling center, keeping them out of our local landfills and incinerators. The battery industry strongly supports this program, as well as the American people. At no cost to the Federal Government, we have the opportunity to efficiently and swiftly put these recycling programs into action.

Mr. Speaker, I am proud to support this legislation which takes a positive step in working for the common goal of preserving the environment.

Mrs. THURMAN. Mr. Speaker, I am delighted to express my strong support for H.R. 2024, the Mercury-containing and Rechargeable Battery Management Act. Today, we will take an important step toward making this earth a cleaner place. The battery bill will ensure that nickel-cadmium batteries get out of the waste stream and into the recycling stream.

In my district, energizer power systems employ 1,400 people. In fact, our Alachua plant is one of only two facilities in the United States that produces nickel-cadmium batteries.

We may be one of the only ones producing them, but you all use them. Nickel-cadmium batteries are used in power tools, appliances,

cellular and cordless phones, and so many other every day products.

Recognizing the danger the disposal of these batteries posed, 13 States, including Florida, took the initiative to label and recycle the batteries. Industry has done a terrific job in promoting the labeling and recycling programs, particularly through the creation of the Rechargeable Battery Recycling Corporation [RBRC]. Manufacturers fund the recycling programs and the RBRC is charged with collecting and recycling the used batteries. The Federal Government isn't spending tax dollars to set up a new bureaucracy, industry is financing and administering the program itself.

Actions like these are examples of the kind of good corporate citizenship we want to encourage. More than 100 companies helped to create the RBRC and, together, they work to ensure that their products do no harm to our environment.

The problem is that conflicting State regulations about labeling and collecting have hindered the RBRC's ability to fully achieve its goals. Today, we will enact uniform environmental labeling standards and allow for national collection of nickel-cadmium batteries by retail stores. These actions will help the energizer bunny keep going and going—then be recycled—so he can keep going and going again.

I am delighted that we have bipartisan support for this bill that not only addresses nickel-cadmium, but also phases out the use of mercury in batteries. I am pleased that the 1,400 hard-working energizer employees in my district have taken an active role in promoting this legislation.

I commend their efforts and urge the House to vote for the passage of H.R. 2024.

Mr. TORRES. Mr. Speaker, I am pleased to see the House addressing the issue of recycling. The bill under consideration today would encourage voluntary battery recycling, curtail the use of mercury-containing batteries and improve the procedures for recycling such batteries. The bill is a step in the right direction, but it's only a very small, half-step. We can and we should be doing much more to fix our country's critical solid waste disposal problems.

Common items such as lead acid batteries, newsprint, motor oil and tires continue to clog neighborhood landfills, incinerators and sewers. Communities all over America continue to grapple with the serious health and safety hazards that result. There is a way, however, to turn these items usually treated as trash into valuable resources. And there is a way to meet this environmental challenge, which does not rely on command and control regulation.

Mr. Speaker, 7 years ago, along with the late Senator John Heinz and former Senator Wirth, I introduced an innovative concept in environmental protection. The idea was simple—use market forces to achieve environmental protection. Very simply, our legislation offered a solution to the demand side of the supply-and-demand equation.

Recycling is not just the process of having a product collected, recycling means turning the old product into a new product and using it again. Garbage is still garbage unless it has value throughout its lifecycle. Unfortunately, because there is currently no stable market for

recycled materials, our separated garbage too often ends up buried in the dump.

The legislation I have reintroduced this Congress would give companies an incentive to recycle the goods they produce, while giving them the freedom to determine the most efficient and least expensive way to do so. The bills employ a system of tradable credits. The credits serve as the medium of exchange in recycling markets. Manufacturers would be required to use an annually increasing percentage of recycled materials. If unable to meet the content standard for a given year, a manufacturer could achieve compliance by purchasing recycling credits from other manufacturers who exceed their targets.

The bills, H.R. 1522, H.R. 1523, H.R. 1524, and H.R. 1525, represent innovative proposals to foster the lead battery, oil, newsprint, and tire recycling industries. I encourage my colleagues to consider these incentive-based bills and join me in promoting a more comprehensive approach to addressing the serious solid waste challenges we face as a nation.

Mr. OXLEY. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio [Mr. OXLEY] that the House suspend the rules and pass the bill, H.R. 2024, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. OXLEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2024, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

#### EXTENDING TIME FOR DEBATE ON H.R. 1965, COASTAL ZONE PROTECTION ACT OF 1996

Mr. SAXTON. Mr. Speaker, I ask unanimous consent that during the consideration today of H.R. 1965 under suspension of the rules, debate be limited to 60 minutes, equally divided and controlled by the chairman and the ranking member of the Committee on Resources or their designees.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

#### COASTAL ZONE PROTECTION ACT OF 1996

Mr. SAXTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1965) to reauthorize the Coastal Zone Management Act of 1972, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1965

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Coastal Zone Protection Act of 1996".

#### SEC. 2. FINANCIAL ASSISTANCE FOR DEVELOPMENT OF STATE COASTAL PROGRAMS.

(a) REAUTHORIZATION OF PROGRAM.—Section 305(a) of the Coastal Zone Management Act of 1972 (16 U.S.C. 1454(a)) is amended—

(1) by striking "1991, 1992, and 1993" and inserting "1997, 1998, and 1999"; and

(2) by striking "two" and inserting "four".

(b) TERMINATION OF PROGRAM.—

(1) IN GENERAL.—Section 305 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1454) is amended—

(A) by striking subsection (a);

(B) by striking "(b)"; and

(C) by amending the heading to read as follows:

"SUBMITTAL OF STATE PROGRAM FOR APPROVAL".

(2) CONFORMING AMENDMENTS.—Section 308(b)(2)(B) of the Coastal Zone Management Act of 1972 (16 U.S.C. 1457(b)(2)(B)) is amended—

(A) in clause (iv) by adding "and" after the semicolon;

(B) by striking clause (v); and

(C) by redesignating clause (vi) as clause (v).

(3) EFFECTIVE DATE.—This subsection shall take effect on October 1, 1999.

#### SEC. 3. IMPLEMENTATION ASSISTANCE FOR COASTAL ZONE ENHANCEMENT.

Section 309(b) of the Coastal Zone Management Act of 1972 (16 U.S.C. 1456(b)) is amended—

(1) by inserting "(1)" before "Subject to"; and

(2) by adding at the end the following new paragraph:

"(2)(A) In addition to any amounts provided under section 306, and subject to the availability of appropriations, the Secretary may make grants under this subsection to States for implementing program changes approved by the Secretary in accordance with section 306(e)."

"(B) Grants under this paragraph to implement a program change may not be made in any fiscal year after the second fiscal year that begins after the approval of that change by the Secretary."

#### SEC. 4. AUTHORIZATION OF APPROPRIATIONS FOR GRANTS.

Section 318 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1464) is amended—

(1) by striking "SEC. 318." and all that follows through subsection (a) and inserting the following:

"SEC. 318. (a) There are authorized to be appropriated to the Secretary, to remain available until expended—

"(1) for grants under sections 306, 306A, and 309—

"(A) \$47,600,000 for fiscal year 1997;

"(B) \$49,000,000 for fiscal year 1998; and

"(C) \$50,500,000 for fiscal year 1999; and

"(2) for grants under section 315—

"(A) \$4,400,000 for fiscal year 1997;

"(B) \$4,500,000 for fiscal year 1998; and

"(C) \$4,600,000 for fiscal year 1999.";

(2) by striking subsection (b); and

(3) by redesignating subsections (c) and (d) in order as subsections (b) and (c).

#### SEC. 5. COASTAL ZONE MANAGEMENT FUND.

(a) AUTHORIZATION FOR ADMINISTRATIVE EXPENSES.—Section 308(b)(2)(A) of the Coastal

Zone Management Act of 1972 (16 U.S.C. 1456a(b)(2)(A)) is amended to read as follows:

"(A) Expenses incident to the administration of this title, in an amount not to exceed for each of fiscal years 1997, 1998, and 1999 the higher of—

"(i) \$4,000,000; or

"(ii) 8 percent of the total amount appropriated under this title for the fiscal year."

(b) AUTHORIZATION FOR PROGRAM DEVELOPMENT GRANTS.—Section 308(b)(2)(B)(v) of the Coastal Zone Management Act of 1972 (16 U.S.C. 1456a(b)(2)(B)(v)) is amended to read as follows:

"(v) program development grants as authorized by section 305, in an amount not to exceed \$200,000 for each of fiscal years 1997, 1998, and 1999; and"

#### SEC. 6. MATCHING REQUIREMENT.

Section 315(e)(3) of the Coastal Zone Management Act of 1972 (16 U.S.C. 1461(e)(3)) is amended by adding at the end the following new subparagraph:

"(C) Notwithstanding subparagraphs (A) and (B), financial assistance under this subsection provided from amounts recovered as a result of damage to natural resources located in the coastal zone may be used to pay 100 percent of the costs of activities carried out with the assistance."

#### SEC. 7. AQUACULTURE IN THE COASTAL ZONE.

The Coastal Zone Management Act of 1972 is amended—

(1) in section 306A(b) (16 U.S.C. 1455a(b)) by adding at the end of the following:

"(4) The development of a coordinated process among State agencies to regulate and issue permits for aquaculture facilities in the coastal zone."; and

(2) in section 309(a) (16 U.S.C. 1456a(a)) by adding at the end the following:

"(9) Adoption of procedures and policies to evaluate and facilitate the siting of public and private aquaculture facilities in the coastal zone, which will enable States to formulate, administer, and implement strategic plans for marine aquaculture."

#### SEC. 8. APPEALS TO THE SECRETARY.

The Coastal Zone Management Act of 1972 is amended by adding at the end the following new section:

##### "APPEALS TO THE SECRETARY"

"SEC. 319. (a) NOTICE.—The Secretary shall publish in the Federal Register a notice indicating when the decision record has been closed on any appeal to the Secretary taken from a consistency determination under section 307(c) or (d). No later than 90 days after the date of publication of this notice, the Secretary shall—

"(1) issue a final decision in the appeal; or

"(2) publish a notice in the Federal Register detailing why a decision cannot be issued within the 90-day period."

"(b) DEADLINE.—In the case where the Secretary publishes a notice under subsection (a)(2), the Secretary shall issue a decision in any appeal filed under section 307 no later than 45 days after the date of the publication of the notice."

"(c) APPLICATION.—This section applies to appeals initiated by the Secretary and appeals filed by an applicant."

The SPEAKER pro tempore. Pursuant to the order of the House of today, the gentleman from New Jersey [Mr. SAXTON] and the gentleman from California [Mr. MILLER] each will be recognized for 30 minutes.

The Chair recognizes the gentleman from New Jersey [Mr. SAXTON].

Mr. SAXTON. Mr. Speaker, I yield myself such time as I may consume.



(Mr. SAXTON asked and was given permission to revise and extend his remarks.)

Mr. SAXTON. Mr. Speaker, I am pleased that the House is considering H.R. 1965, the Coastal Zone Protection Act of 1996. It is certainly an appropriate way to show our commitment to the environment and to celebrate Earth Day.

I introduced H.R. 1965 10 months ago, and 129 of my colleagues are now co-sponsors. Certainly this broad bipartisan support shows the popularity of the Coastal Zone Program and the need to act on this reauthorization.

In light of the enormous growth of coastal populations, Congress passed, and President Richard Nixon signed into law, the Coastal Zone Management Act—also known as CZMA—in 1972. That growth has not abated in the 24 years since the original Act was passed, and forecasts predict that significant growth will continue in coastal areas. The CZMA provides grants to States that develop federally approved coastal zone management—or CZM—plans. It also allows States with approved plans to review Federal actions for consistency with those plans.

Twenty-nine of the thirty-five eligible coastal States and territories have federally approved CZM plans, and five others are working to prepare acceptable plans. These twenty-nine approved plans include 95,000 miles of coastline, almost 95 percent of the national total.

For a relatively small expenditure of Federal dollars and without imposing any additional Federal regulatory burden, this program has been very successful in getting States to improve their coastal planning programs on a totally voluntary basis.

H.R. 1965 reauthorizes funding for grants to States to develop, implement, and update their coastal zone management programs for fiscal years 1997 through 1999; bases authorization levels for State grants and Federal administrative expenses on the amounts appropriated for these programs; provides the States with more discretion in the use of their grants; and sets a time limit for final decisions on consistency appeals.

This is an excellent bill. It continues the existing program with only minor modifications. However, those changes provide additional flexibility to the States, establish fiscally responsible authorization levels, and streamline the consistency review process. These are all positive accomplishments, and they deserve the enthusiastic support of this body.

I urge an "aye" vote on this most important environmental bill.

□ 1530

Mr. Speaker, I reserve the balance of my time.

Mr. MILLER of California. Mr. Speaker, I yield myself 7 minutes.

Mr. Speaker, I rise in support of this legislation, as I did with the previous legislation, and I want to commend the gentleman from New Jersey [Mr. SAXTON] for his work on getting this reauthorization of the coastal zone management legislation passed in our committee and to the floor.

This is a good bill. The substitute amendment that has been suggested has been agreed to on a bipartisan basis and has the support of the administration.

Let me say, Mr. Speaker, that this discussion today is not just about coastal zone management or not just about battery recycling. What we went through with the presentation of the previous bill, and with this bill also, is that at a time when we were talking about recycling batteries and, therefore, removing toxics from the environment, what we saw is that most of the people who came and supported recycling batteries and removing toxics from the environment, in fact, had voted five out of five times against, in crucial bills, in the clean water bill and regulatory reform and amendments and motions to recommit, had voted against removing arsenic from drinking water, had voted against removing arsenic dioxin, lead and other cancer-causing pollutants, had voted to liberalize the rules on pollution.

So it was not about recycling batteries, and I daresay if the speakers on this legislation have the same voting record with respect to coastal zone management, then we, too, will award them fig leaves to show that they, in fact, cannot hide behind this good and noncontroversial bill when, in fact, they have voted previously in this session against coastal nonpoint pollution control to try to regulate many of the pollutants that flow into our coastal zones for dumping more sewage into our oceans.

At a time when we want to regulate the coastal zone of our States and improve them for our citizens, they voted to liberalize how much more sewage we can put into the ocean. They voted against the protection of the wetlands in many of these same areas, an amendment that was offered on a bipartisan basis.

They voted for gutting the Clean Water Act where, if we do not clean up our rivers and our streams and sewage and others, then it all flows into the coastal zone and we have an increased amount of pollution floating.

So what we are saying is we cannot have it both ways, we cannot engage in hypocrisy, we cannot say well, we are for coastal zone management because the whole Congress is for it, apparently. It is a unanimously supported legislation. It is a bipartisan bill. It is supported by the administration. But on these key issues earlier in this session of Congress, in this session of Congress, our colleagues voted five for five

against the environment, just as many of the speakers on the previous legislation sought to support battery recycling, which is good, but the hypocrisy of their position when they voted not to remove lead and arsenic and dioxin and other materials from our environment.

Those are the records. Those are the votes. Those are the ones that are taken, and that is the record of their votes.

Mr. OXLEY. Mr. Speaker, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from Ohio.

Mr. OXLEY. Mr. Speaker, I thank the gentleman for yielding.

So let me understand that unless every Member votes the liberal line on every environmental issue, then he is not—

Mr. MILLER of California. Reclaiming my time, no; that is not the issue. The issue is whether my colleagues vote for or against the environment, whether they vote for or against the environment on a consistent basis.

There is nothing liberal or conservative about taking arsenic out of the drinking water of children. There is nothing liberal or conservative about taking dioxin, lead, and other cancer-causing agents out of the environment of the children. There is nothing liberal or conservative about keeping people from dumping pollution into our oceans, about dumping sewage into our oceans that comes back to haunt the people who want to use the beaches, the wetlands, and the recreational area.

This is not about liberal or conservatism. This is about people's voting records who, on the day after Earth Day, under the direction of the majority leader, want to present a theme to America that somehow the Republicans are back on the environment.

The fact is for 16 months our colleagues have led the most comprehensive assault on the basic environmental laws of this country, and we think there is a certain amount of hypocrisy in that, and we are seeking to point that out. And it has nothing to do with ideology. It has to do with the recorded votes taken by Members of this Congress in the previous four sessions on dealing with these issues of nonpoint pollution control, on ocean dumping of sewage, on protecting wetlands, on the Clean Water Act, on the question of removing arsenic from drinking water, votes that we all remember that we had on the floor of this Congress where the gentleman and others, myself and others, are all recorded on those measures.

Mr. Speaker, I reserve the balance of my time.

Mr. SAXTON. Mr. Speaker, I yield 1 minute to the gentleman from Ohio [Mr. OXLEY].

Mr. OXLEY. Mr. Speaker, I thank the gentleman for yielding this time to

me, and I cannot resist responding to my friend from California because it is really how he defines these votes, that somehow, if we happen to vote against his particular position, that happens to be allegedly a vote against the environment or some of his left friends who define it that way.

The fact is that all of us share this same goal of environmental protection, but we find that there are different ways to get there, sometimes more effective ways, if we used the power of the market, for example, to do that.

We did that in the clean air bill. My friend from California will remember when we provided SO<sub>2</sub> emissions allowances that are now being traded by companies in Chicago. It is a very effective way to delay with air pollution. I think there is a different way to do it, and I think a better way and a more effective way and a more efficient way. We differ on that. We do not differ on our goals, and I think that is where the gentleman is in error.

Mr. MILLER of California. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Speaker, I want to thank the gentleman from California and point out how strongly I feel that what we are engaged in here today and what the Republican leadership is engaged in here today is essentially what I call a "green scam." They are putting up the Coastal Zone Management Act for reauthorization, which is certainly a good bill, but they are putting it up a day after Earth Day, an effort to try and give the impression that the Republican majority and that their leadership is in favor of protecting the ocean environment. And, in fact, nothing could be further from the truth.

The fact of the matter is, from the very beginning, this Republican leadership, from the very beginning of this Congress in 1995, brought up what I call the Dirty Water Act, an effort to essentially gut the Clean Water Act and many of the provisions of that bill which passed the House but, fortunately, has not passed the Senate, has been stopped in the Senate, would have turned back the clock on efforts over the last 25 or 26 years to protect the ocean investment.

The gentleman from New Jersey [Mr. SAXTON], my colleague, has been very effective in trying to get this CZMA Act out of committee and brought to the floor, and I want to congratulate him today for the accomplishment of bringing it here to the floor. But the fact of the matter is that many times the Republican leadership fought very hard to have this bill not brought out of committee and to prevent it from coming to the floor. And they also tried to take away all the funding from the CZMA.

At one time I remember specifically there was no funding for the bill, and if

it was not for the fact that he and some of the other Republicans that do care about clean water were willing to take a stand, we would not be here today.

But that does not take away from the fact that the Republican majority and their leadership has been adamant in their effort to cut back on the Clean Water Act.

I just want to mention a few of those things today. I am going to give out two fig leaves to two individuals: The gentleman from Alaska [Mr. YOUNG] stated before, he talked about what he was trying to do to protect the environment. And, of course, now the gentleman from Ohio [Mr. OXLEY] was saying the same thing. But on five key votes, both gentlemen, the gentleman from Alaska and the gentleman from Ohio, joined with the Republican leadership five out of five times to vote against coastal nonpoint pollution control, for dumping more sewage in the ocean, something that I think is very important to me, that we not have ocean pollution in the dumping of sewage; against protecting wetlands; for gutting the Clean Water Act; and, finally, against allowing the EPA to enforce wetlands protection. This continues. They are joining with the Republican leadership on these points, and, therefore, I give both of them a fig leaf at this time.

Mr. SAXTON. Mr. Speaker, I yield 3 minutes to the gentleman from Fort Yukon, AK [Mr. YOUNG].

Mr. YOUNG of Alaska. Mr. Speaker, we only get figleaves from fruit trees.

Now that we have got in this debate seriously, and I have listened to the people on the other side of the aisle talk about the environment, let us talk about Congressmen that want total central control. Let us talk about Congressmen that want power in mighty Washington's hands. Let us talk about Congressmen who vote for socialized Government. Let us talk about Congressmen that, in reality, do not believe that private property rights, owners have any rights at all. Let us talk about Congressmen that decide what is the environmental agenda as being touted by the 57 environmental organizations when they are rated 100 percent by the Sierra Club and Friends of the Earth, et cetera.

Let us talk about the Congressmen that do not care about jobs, about people that want to work. Let us talk about Congressmen that believe a kangaroo rat is more important than a man's livelihood or the homes that were burnt down because a person could not farm that land, and after they could not farm the land the rats left because there was nothing to eat.

Let us talk about a Government that does not listen to the people any more and the Congressmen that support that type of Government. Congressmen have believed, in reality, that there is no freedom of individuals that is good for

the masses, control from Washington, DC.

And this is what this talk about the environment is all about.

On my side of the aisle, I have said the environment must include man. We cannot exclude man or eventually man will destroy the environment. But on that side of the aisle, we cannot touch anything or that person is against the environment. One cannot build a house, one cannot drill for oil, one cannot take and build a dam. One, in fact, cannot catch a fish, let alone do anything else, because they are destroying the environment. It is part of the zealism of that side of the aisle by certain leaders that believe that man is the enemy and he is not to be included. And that is what the two gentlemen from California and New Jersey are talking about, centralized government power over the individual person.

If I own a piece of property and it is mine, and I have an endangered species there and it is there because I have taken care of it, I can be punished because of these two gentlemen. I should be rewarded because I protect the species.

But under this administration and past administrations, the agencies themselves have come in and told me: "You are a sinner because you have the species on your property; thus, you no longer can do anything with your property. You, in fact, ought to be punished."

That is the philosophy of these two gentlemen.

Today the House is considering H.R. 1965, the Coastal Zone Protection Act of 1996. This bill was introduced by JIM SAXTON, and he deserves a great deal of credit for his efforts on behalf of this program.

Enacted in 1972, the CZMA encourages States to regulate land and water uses which affect their coastal zones. The program is voluntary, but States receive grant money to develop a plan which, when approved by the National Oceanic and Atmospheric Administration (NOAA), makes the States eligible for more Federal assistance to help manage their coastal program. In addition, States can review and, in some cases, veto certain Federal activities which affect their coastal zones and which are inconsistent with their approved programs. Twenty-nine States and territories have approved coastal zone programs.

In fact, to use my home State as an example, the Alaska Coastal Management Program coordinates the permitting process between Alaska's 33 coastal districts and local, State and Federal agencies. This coordination assures that localities have the opportunity to have their views on Federal activities fully considered, and reduces the time and cost of permit approvals. The coastal zone program has also funded development of comprehensive wetlands management plans in Juneau and Anchorage. These plans emphasize local decisionmaking and reduce the regulatory burden for low value wetlands.

The bill before us today re-authorizes the Coastal Zone Management Act through fiscal



year 1999. It provides the States with more flexibility in program management, and it sets fiscally responsible authorization levels. I urge you to support this bill.

Mr. MILLER of California. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Speaker, I am so glad that the previous speaker, the chairman of the committee, brought up this job-versus-the-environment issue, because I think it is really crucial. The fact of the matter is that a good environment mean good jobs and better jobs and a better economy. No better illustration of that took place than in 1988 when I was first elected to Congress. We had medical waste, we had sewage sludge washing up on the Jersey shore. Our beaches were closed. Billions of dollars were lost to the New Jersey tourism industry because we had dirty water.

The Clean Water Act made it possible for us to clean up those beaches and provided the funding to do so by upgrading sewage treatment plants. Now that tourism is back, the people are back, the jobs are back. A good environment and a clean ocean means good jobs, and it means a bigger economy.

Do not let anybody from the other side or anybody try to kid and to say that there is an issue here of jobs versus the environment. The two go together, and a clean environment means more and better jobs.

Mr. SAXTON. Mr. Speaker, I yield 5 minutes to the gentleman from Utica, NY [Mr. BOEHLERT], my good friend.

Mr. BOEHLERT. Mr. Speaker, I rise this afternoon in strong support of H.R. 1965, the Coastal Zone Management Reauthorization Act of 1996.

As we celebrate Earth Day, it is important that we remember the many successes we have had in improving the quality of America's waters since the first Earth Day in 1970. The Coastal Zone Management Act of 1972 has been an important component of our Nation's efforts to improve coastal waters, and today's consideration of legislation to reauthorize this act is in keeping with the spirit and intent of Earth Day.

□ 1545

The Coastal Zone Management Act of 1972 was signed by President Nixon and was one of his many environmental initiatives, which included the creation of the Environmental Protection Agency, the enactment of the Clean Air Act, and the establishment of the Endangered Species Act. I am proud that a Republican Congress is forwarding legislation to reauthorize the Coastal Zone Management Act.

Before I go further, I would like to thank the leadership of the Committee on Resources, the gentleman from Alaska [Mr. YOUNG] and the gentleman from New Jersey [Mr. SAXTON]. This

bill is an excellent example of a bipartisan commonsense approach to protecting the Nation's coastal resources.

The Coastal Zone Management Act of 1972 responds to this environmental need with a Federal-State partnership intended to encourage wise coastal resource management. The program consists of limited Federal funding, planning requirements, and tools for the States to ensure consistency and coordination in their management efforts. In general, it has worked well and has helped to supplement other important programs, such as the Clean Water Act.

Today the needs for a strong partnership for coastal perfection are greater than ever. For example, the Environmental Protection Agency has documented that 97 percent of the Great Lakes shoreline miles surveyed have water quality that is impaired. In addition, many estuaries are not meeting their designated uses due to excessive loadings of pollutants. This can be devastating to not only our environment but our economy as well.

For example, most of our Nation's fish and shellfish industry relies on bays and estuaries and their adjacent wetlands as a breeding ground for the species they harvest. The future of America's multibillion dollar recreational fishing industry also depends on clean, healthy coastal waters.

Because of this connection to water quality, the Clean Water Act, and coastal protection, the Committee on Transportation and Infrastructure has a significant interest in the Coastal Zone Management Act and H.R. 1965. This is particularly true for the Subcommittee on Water and Power Resources in the Committee on Resources.

At the outset of the 104th Congress, the Committee on Transportation and Infrastructure acquired jurisdiction over marine affairs, including coastal zone management, as they relate to oil and other pollution of the navigable waters. This is in addition to our existing jurisdiction over pollution in coastal waters. The Committee on Transportation and Infrastructure also has jurisdiction over natural resources damages programs under the Clean Water Act, the Oil Pollution Act, and Superfund.

Section 6 of H.R. 1965 has provisions relating to natural resource damages. It is our understanding, however, that nothing in the bill expands or affects authorities under those acts.

Mr. Speaker, I would like to engage the chairman of the subcommittee in a colloquy with the gentleman from Ohio [Mr. OXLEY].

Mr. Speaker, I would say to the gentleman from New Jersey, as he knows, the Comprehensive Environmental Response, Compensation and Liability Act, the Clean Water Act, the National Marine Sanctuaries Act, and the Oil

Pollution Act authorize natural resource damages to be used only to restore, replace or acquire the equivalent of such damaged natural resources.

Is that correct?

Mr. SAXTON. Mr. Speaker, will the gentleman yield?

Mr. BOEHLERT. I yield to the gentleman from New Jersey.

Mr. SAXTON. Mr. Speaker, that is correct.

Mr. OXLEY. Mr. Speaker, will the gentleman yield?

Mr. BOEHLERT. I yield to the gentleman from Ohio.

Mr. OXLEY. Mr. Speaker, it is our understanding that section 6 of this legislation does not in any way alter the determination and use of natural resource damages collected pursuant to the Clean Water Act, the Oil Pollution Act, the National Marine Sanctuaries Act, or the Comprehensive Environmental Response, Compensation and Liability Act, is that correct?

Mr. SAXTON. If the gentleman from New York will continue to yield, Mr. Speaker, that is also correct.

Mr. BOEHLERT. If we could follow up with a hypothetical, for example, natural resource damages might be paid to a Federal, State, or Indian tribal trustee for the restoration, replacement, or acquisition of equivalent resources in order to compensate for those resources that are damaged at a specific location or site. Is that correct?

Mr. SAXTON. Mr. Speaker, that too is correct.

Mr. OXLEY. Mr. Speaker, if the gentleman will continue to yield, some have raised the issue that section 6 could be used to facilitate the development and use of regional restoration plans. Is it your understanding that under this legislation, NOAA would have no authority to create regional restoration plans?

Mr. SAXTON. That is correct, under this legislation. However, I do want to point out that they could have such authority under some other existing law. This provision will not give them any such authority.

Mr. BOEHLERT. I want to thank the chairman of the committee and the gentleman from Ohio [Mr. OXLEY] for participating in this colloquy.

Mr. Speaker, in closing, let me say this: Pollution knows no political affiliation, it knows no artificial geographic boundary. There are those on the right and those on the left who are trying to get this into a heated battle on the floor of the House of Representatives to lead the American people to believe that one party or another has exclusive concern about the environment.

Let me tell the Members, Republicans care about the environment just as Democrats care about the environment. We are concerned for our families and we are concerned for future

generations. I urge passage of this important bill, and I urge us to go forward in the spirit of bipartisanship to do what is good for America for generations to come.

Mr. MILLER of California. Mr. Speaker, I yield 2 minutes to the gentlewoman from California [Ms. WOOLSEY].

Ms. WOOLSEY. Mr. Speaker, this week we celebrate the wonder and beauty of the Earth. As we celebrate, I feel especially grateful for the area I represent. I am privileged to represent Marin and Sonoma Counties in California, the two counties just north of San Francisco, across the Golden Gate Bridge. The diversity of nature is prominent in this area where the rolling hills, redwood forests, and rugged coastline meet.

I am privileged to represent 140 miles of the northern California coastline. Each year, numerous visitors come to Marin and Sonoma Counties to see one of our Nation's most picturesque scenes: Our coasts. It is hard for visitors to the area to even imagine that there are troubled waters off our beautiful coasts, but there are. Due to extensive recreational and commercial use, a serious toll has been taken on our coasts, a toll that threatens the health of our marine resources and of our coastal economies.

If California's coast is to be utilized by future generations, Mr. Speaker, as it is today, it must have strong protection now. Passing this legislation to reauthorize the Coastal Zone Management Act will help meet this need and the needs of all America's coasts. Coastal zone management programs offer tremendous opportunities for conserving and maintaining this country's most outstanding marine resources. Mr. Speaker, coastal programs are not only successful, they are also cost effective.

H.R. 1965 will assist in the effort to be good stewards of our coasts. Let us pass this bill and continue the vital work of the Coastal Zone Management Act. Let this not be a figleaf. Let this not be a Band-Aid, but let it be a precedent for future meaningful legislation to protect our fragile environment.

Mr. SAXTON. Mr. Speaker, I yield 30 seconds to the gentleman from Alaska [Mr. YOUNG].

Mr. YOUNG of Alaska. Mr. Speaker, I want to bring forth to the body here that we want to protect the environment, and we also want to protect private property, the basis of our Constitution.

The gentleman from New Jersey [Mr. PALLONE] had a zero, a zero rating for private property. He does not believe in private property. The gentleman from California [Mr. MILLER] did a little better. He had 7 percent. He slipped up; I do not know what happened. I think the gentleman from Rhode Island [Mr. REED], he has not spoken as yet, he also got a zero.

What we are saying is private property and the environment, together we can prevail. We ignore private property, we destroy the Constitution.

Mr. MILLER of California. Mr. Speaker, I yield 2 minutes to the gentleman from Rhode Island [Mr. REED].

Mr. REED. Mr. Speaker, I rise in strong support of H.R. 1965, the Coastal Zone Management Reauthorization Act of 1995, and in particular, the manager's substitute, which has incorporated an important provision on aquaculture. Also I want to thank the chairman of the committee, the gentleman from Alaska [Mr. YOUNG], the gentleman from California [Mr. MILLER], and the gentleman from Massachusetts [Mr. STUDDS] for their support of this important provision.

This provision was originally part of H.R. 2046, a bill I introduced this year to authorize States to formulate, administer, and implement strategic plans for marine aquaculture. Indeed, H.R. 2046 was based on previous legislation sponsored in the last Congress by myself and the gentleman from Massachusetts [Mr. STUDDS].

This provision will foster economic growth and create jobs by encouraging aquaculture development in our lakes and coastal areas. Aquaculture represents a promising economic development opportunity for the State of Rhode Island. At the turn of the century, Rhode Island's shellfishermen harvested so much shellfish from Narragansett Bay that this harvest would be worth almost \$1 billion in today's dollars.

This provision would enable States like Rhode Island that have no comprehensive plan for aquaculture development to get started in the process of creating jobs and economic development through aquaculture.

It is important to recognize that development of a marine aquaculture industry will not be easy. Difficult issues such as private use of public resources, conflicts with other coastal user groups, and the development of streamlined regulatory and permitting requirements will have to be addressed.

However, other nations around the world have already recognized the potential of aquaculture and the important role government can play in developing this industry. The Governments of Japan, Norway, and Chile are supporting aquaculture development programs and giving their citizens the opportunity to reap the accompanying economic rewards. In fact, these countries are exporting their aquaculture harvests of fish and shellfish to America.

Mr. Speaker, this provision will go a long way in helping States like Rhode Island become competitive in this growing global industry. Again, I thank the gentleman from Massachusetts [Mr. STUDDS] for his strong support of this provision, and I urge my

colleagues to join with me in support of the passage of this bill.

Mr. SAXTON. Mr. Speaker, I yield 2 minutes to the gentleman from Sanibel, FL [Mr. GOSS], who, as Mayor of that community, helped to initiate and found Florida's coastal zone management program.

Mr. GOSS. Mr. Speaker, I am very pleased to rise in support of this bill because it is a solid, responsible piece of bipartisan environmental legislation, and by the by, a great bill for Florida.

I want to commend the tremendous work done by my good friend, the gentleman from New Jersey [Mr. SAXTON], who has put this thing together and moved it to the floor in a timely fashion. This should be held up as model environmental legislation. It is a rare example where we finally got the Federal Government doing a program that is both effective and voluntary. I think its success can well be measured by the fact that since its creation in 1972, 34 out of 35 of the eligible States in this Nation have become involved in the program. Twenty-nine have approved programs, and five more are working towards that goal.

The CZMA is a cooperative effort that recognizes States as full partners, sharing the costs and the responsibilities for setting standards geared towards protecting local coastal environments. The good thing about it is the flexibility. Michigan can do what is best for the Great Lakes, Florida can do what is right for the situation along the Gulf and the Atlantic coast in Florida.

Specifically I would like to single out two other aspects of the CZMA because of their importance to my State of Florida. One is the question of consistency, and the other is the question of the National Estuarine Reserve System. Consistency simply says that the Federal Government cannot come along and do something that the State of Florida does not think is good for the State of Florida.

We have seen this work and help us in our protection of our Outer Continental Shelf and in the oil and gas exploration issues we have faced in the State of Florida throughout the years. Without these consistency provisions, we would not have been able to succeed, and we are in fact relying on them today.

Mr. Speaker, it is important to us. Florida has lots of tourists, many visitors. Many in this body go there at this time of year and enjoy themselves. We want to keep it that way, at a place where you will continue to go back. This act will help us do that.

With regard to the reserve areas, the estuarine research reserve areas here are areas where we are protecting pristine estuaries, while at the same time we are opening up the area for public study and education. This has had an



extraordinary residual benefit for the people of this country. This is a good bill, and it deserves Members' support.

Mr. MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I think the gentleman from Alaska [Mr. YOUNG] made the point that we are making. That is, there are those individuals who seek to come to the floor to support this legislation and try to hide an atrocious environmental record where they have voted 5 for 5, in some cases 15 for 10, against very important environmental protections: the removal of arsenic from drinking water; the removal of dioxin from our environment, from our drinking water; the removal of lead, to protect children; those kinds of measures. The gutting of the Clean Air Act, they supported it.

The gentleman from Alaska [Mr. YOUNG] has a perfect record on that. He needs a fig leaf, because he is trying to hide that record by supporting this legislation. The gentleman would say that the last three speakers in fact do not need a fig leaf, because their environmental records have been consistent. They have been consistent because of the tough environmental bills they have supported true environmental protection, and on this legislation they are supporting a good piece of legislation.

That is not what is going on here. That is because of the fact that under a directive from the caucus they are putting this measure forward. The gentleman from Alaska has always found some reason why he could not support environmental legislation. He does not like the Federal government. He does not think we should be able to have some kind of national standards for clean air or clean water.

But as I think one of the previous speakers said in support of this legislation, the environment knows no geographic boundaries. If you have dirty air, if you have dirty air in California, people in Nevada and Arizona end up breathing it.

□ 1600

If we put dirty water into the Mississippi River at the top, the people down in Louisiana and elsewhere end up having to contend with that dirty water. That is because we need those standards, and before we had those standards, that was a problem.

Coastal zone management: What moves up and down the coast between the Carolinas and Virginia and Florida has to be somehow managed in a fashion to protect all coastal communities. That is true on the West Coast and others.

That is what we are talking about, that there is some consistency between people's records. You cannot just trot out unanimous bills that there is complete agreement on and therefore say

that somehow you have created the environmental record when for 16 months, when given the opportunity, people have voted and earned themselves a zero rating. That is the point being made.

Mr. GOSS. Mr. Speaker, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from Florida.

Mr. GOSS. Mr. Speaker, I thank the distinguished gentleman from California for yielding.

Mr. Speaker, I just simply want to say, we were talking about fig leaf awards as well. We were talking about seaweed awards. We had a number of gimmicks we were thinking about. I think it might be a question of approach.

Mr. MILLER of California. Seaweed?

Mr. GOSS. For the Coastal Zone Management Act, we thought seaweed might be appropriate. You can drape it around yourself in certain ways and get the same result as with a fig leaf. It is really heavy, though.

The reason we thought it was appropriate, I recall the gentleman actually caused us a great deal of problem with our Outer Continental Shelf protections back in 1992. The gentleman is well known as a champion of the environment. It is just we had a different agreement on how to protect our Outer Continental Shelf. I am glad we have done a better job of doing that, and I am glad to see the gentleman's support for this bill.

Mr. MILLER of California. And the point made by the gentleman is in fact historically we have worked on a bipartisan basis on most of these measures.

Mr. GOSS. We have.

Mr. MILLER of California. The Outer Continental Shelf was passed on a bipartisan basis, as was Clean Air, Clean Water, Endangered Species Act, all of the other great environmental laws.

Mr. GOSS. We have.

Mr. MILLER of California. What we have seen is unfortunately people like the gentleman from Alaska apparently prevail in the caucus, rather than the gentleman himself.

Mr. Speaker, I reserve the balance of my time.

Mr. SAXTON. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. HORN].

Mr. HORN. Mr. Speaker, the California coast is one of the world's natural treasures, and Californians know that they must preserve these wonderful shores so that not only will Californians enjoy them but people from all over the world will enjoy them.

The Coastal Zone Management Reauthorization Act of 1996 will help California meet this responsibility. The bill's annual grant program will ensure that the wisest protections and the best usage of the coastal areas are maintained.

California's coast belongs to the generations yet to come. This legislation

ensures that this great treasure will remain for a very, very long time.

Mr. MILLER of California. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Speaker, I am pleased that the previous speaker is supporting this bipartisan non-controversial bill to reauthorize the Coastal Zone Management Act, but this is really again just a fig leaf to hide the fact that Republicans have consistently voted against protecting the environment and the health and safety of the American people.

On five key votes that I mentioned before, the gentleman from California who previously spoke four out of five times joined with the Republican leadership: first against coastal nonpoint pollution control; second, for dumping more sewage into the ocean; third, against protecting wetlands; and, finally, for gutting the Clean Water Act, the dirty water bill that we mentioned before.

So for the gentleman from California [Mr. HORN], I give him his fig leaf.

Mr. SAXTON. Mr. Speaker, I yield 30 seconds to the gentleman from California [Mr. HORN].

Mr. HORN. Mr. Speaker, I am bemused and amused by my colleague from New Jersey. The same reason that some have said these are not really environmental votes stands in that case. They were private property votes, most of them.

I believe that if you are going to save the environment, you have got to follow the fifth amendment to the Constitution of the United States, just as the Supreme Court said you have to follow it with reference to the California coast. You cannot take people's property and say, "Well, sorry, you lived there for five generations and you are going to give it up to the State at no cost." That is nonsense, and I will continue to vote for private property.

Mr. MILLER of California. Mr. Speaker, I yield 30 seconds to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Speaker, I appreciate what the gentleman said, because I think it harks back to what the gentleman from Alaska said before when he talked about the ratings from this private property group and said that I had received a zero. He, on the other hand, the gentleman from Alaska, received a zero from the League of Conservation Voters for being anti-environment.

If we track the votes that the League of Conservation Voters used and the private property rights group used, they basically used the same votes. If you get a zero on private property, you get 100 percent from the league, and vice versa.

Mr. SAXTON. Mr. Speaker, I yield 1 minute to the gentleman from Vineyard, NJ [Mr. LOBIONDO].

Mr. LOBIONDO. Mr. Speaker, I rise in support of the Coastal Zone Protection Act.

This legislation reauthorizes the Coastal Zone Management Act, established by Congress in 1972. Intense use of the coastal zone—defined as the coastal waters and adjacent shorelands—has significant impacts on water quality, the abundance of wildlife, coastal ecosystems, and shoreline erosion.

Over 60 percent of all Americans live within 50 miles of the Atlantic, Pacific and Great Lakes coasts, and this population is expected to grow by 15 percent in the next 20 years. As such, it is important to have protective measures in place for the fragile coastal ecosystem.

I support this bill and urge all Members to vote "aye."

Mr. MILLER of California. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, that is to say, those who want to not only have a fig leaf to hide behind, as the gentleman from California just earned by his voting record, but those who now want to suggest they were hiding behind property rights, I do not know what the property right is that allows you to take pollution from your land and dump it into the streams and the bays and the waterways of this Nation. I do not know what that property right is that allows you to take non-point pollution, pesticides and toxics, and dump them into the bays and the rivers and eventually end up in our coastal zone. There is no property right that gives you the right to pollute the public waterways and to diminish the resources available to other Americans.

I know the gentleman came on the floor a little late, and so maybe he got caught up in the rhetoric of the gentleman from Alaska [Mr. YOUNG] about private property. That had nothing to do with the voting records, on whether or not you voted to dump sewage into the oceans or control nonpoint pollution, or voted for the Clean Water Act or allow EPA to enforce wetlands protections.

Mr. Speaker, I reserve the balance of my time.

Mr. SAXTON. Mr. Speaker, I yield 3 minutes to the gentlewoman from Santa Barbara, CA [Mrs. SEASTRAND].

Mrs. SEASTRAND. Mr. Speaker, I rise in strong support of H.R. 1965 to reauthorize the Coastal Zone Management Act of 1972.

Coastal zone management has been a significant priority for my home State of California for over 30 years now. Since the establishment of our Federally Approved Program in 1976, we have attempted to take full advantage of assistance offered to States through the Coastal Zone Management Act. I feel that the accomplishments of the California coastal management program indicate how worthwhile, efficient and cost effective State management can be.

Now, in the absence of the Coastal Zone Management Act, our State participation would not be possible. Californians recognize that our robust economy and superior quality of life depend on a healthy and scenic coast, especially true on the central coast of California, Santa Barbara and San Luis Obispo County, and they strongly support sound management of the State's coastal zone.

Eighty percent of Californians live and work within 50 miles of our coast. Millions of other people from all over the United States and the world come to California for business and pleasure. Coastal and ocean dependent industries generate \$17 billion for California's economy each year, and nearly \$10 billion of that comes from recreation and tourism. It is clear that State coastal management programs advance the national interest in healthy coastal economies, necessary infrastructure and the protection of vital natural resources.

Since 1981, the California Coastal Zone Management Program has used \$20 million to leverage another \$100 million from both public and private sources. We have applied for these funds to over 60 coastal projects, such as establishing networks of coastal parks to improve public access to our coastlines, constructing docks and marine berths to assist the commercial fishing industry, and building public piers and fishing wharfs to restore our urban waterfronts.

Also under the direction of the Coastal Zone Management Program, the State of California and Vandenberg Air Force Base have become partners in water conservation planning, in the creation of miles of shoreline access trails, and in the protection for endangered and threatened species. Again, after thorough Federal consistency reviews by our State program, billions of dollars worth of Federal projects have been allowed to proceed, all while protecting the environment, enhancing communities, and increasing recreational access to coastal resources.

Clearly, the Coastal Zone Management Act deserves to be reauthorized. In California, and in coastal States across the Nation, coastal zone management programs have long demonstrated that the delicate balance between responsible coastal development and sound environmental policy can be achieved.

I applaud the gentleman from New Jersey [Mr. SAXTON] for his leadership on this, and I encourage an "aye" vote on this bipartisan bill.

Mr. MILLER of California. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Speaker, again, I am glad the previous speaker, the gentlewoman from California, is supporting this reauthorization of this CZMA.

Again, she has earned her fig leaf and she cannot hide behind it, because she consistently voted against protecting the environment and the health and safety of the American people on five key votes. The gentlewoman joined with the Republican leadership five out of five times to vote against coastal nonpoint pollution control, for dumping more sewage into the ocean, against protecting wetlands, for cutting the Clean Water Act, and against allowing the EPA to enforce wetlands protection, and she earned a zero voting record from the League of Conservation Voters. So I present her with this fig leaf.

Mr. SAXTON. Mr. Speaker, I yield 30 seconds to the gentlewoman from California [Mrs. SEASTRAND].

Mrs. SEASTRAND. Mr. Speaker, I thank my colleague on the other side of the aisle for yielding the time. I would just say I am one of those freshmen that came here to Washington, DC, to take care of the bureaucrats here in this city and to make sure that the people on the central coast of California got what they wanted for their tax dollar: cleaner water, cleaner air, and to make it a better place.

They realize that the bureaucrats here can usurp a lot of those tax dollars and not accomplish what we truly want on the central coast of California. They want to do away with the regulations, the duplicity of laws, and they want to get on with it.

So I would just say that I am proud of my voting record that I have had here and I will continue to do so.

Mr. SAXTON. Mr. Speaker, I yield 2 minutes to the gentleman from Eastern Long Island, NY [Mr. FORBES].

Mr. FORBES. Mr. Speaker, I rise in support of the Coastal Zone Management Act.

This is an important tool for America. It is important to my own State of New York, in which we have some of the most pristine beaches in the world and some of the most beautiful coastline, obviously, in the world. A good, healthy environment obviously is a good economic environment.

On Long Island, where tourism is a key industry, we believe the Coastal Zone Management Act has been a wonderful, wonderful tool. I am pleased to have played a role last year in the funding of the Coastal Zone Management Act, in making sure that that very important law was fully funded.

My own State of New York benefits to the tune of \$2 million to have adequate planning, to provide for the future safety of our estuaries, our bays, our creeks. In Nassau and Suffolk County, the Coastal Zone Management Act is an incredibly important device. One million dollars goes to the good planning efforts. I rise in support of this very important measure.

Mr. SAXTON. Mr. Speaker, may I ask the time remaining on each side?



The SPEAKER pro tempore (Mr. UPTON). The gentleman from New Jersey has 8 minutes remaining and the gentleman from California has 12 minutes remaining.

Mr. SAXTON. Mr. Speaker, I reserve the balance of my time.

Mr. MILLER of California. We have no further speakers, but I reserve the balance of my time, given what happened on the last bill.

Mr. SAXTON. Does the gentleman intend to yield back the balance of his time?

Mr. MILLER of California. Mr. Speaker, it depends on how many speakers the gentleman from New Jersey has. If I can say to the gentleman, at the moment, I would not yield back my time. Does the gentleman have additional speakers?

Mr. SAXTON. Mr. Speaker, we have three additional speakers, I would prefer at this point that the gentleman alternate on time as we go along.

Mr. MILLER of California. Mr. Speaker, I have pending no further requests for time, and I reserve the balance of my time.

The gentleman wants to close, I assume. I will yield back the balance of my time to allow the gentleman to close.

Mr. SAXTON. Mr. Speaker, I yield myself such time as I may consume to speak for a moment with the gentleman from California [Mr. MILLER].

□ 1615

Mr. Speaker, the problem is that much of the debate on the gentleman's side has been about matters other than the bill, and I suspect that one of the strategies that you could have would be to save your 12 minutes to continue the same kind of rhetoric which I do not think is helpful to the debate. That is why I am reluctant at this time to yield time.

I would further point out that the gentleman has missed a couple of turns here, and I think it would be prudent for the gentleman to use whatever time is available at this time.

Mr. MILLER of California. Mr. Speaker, if I might inquire of the Chair, am I correct in my understanding that the gentleman has the right to close and I have the right to reserve my time? I have no pending requests at this moment. He has additional speakers. I obviously at some point will yield back my time, when the gentleman is ready to close.

The SPEAKER pro tempore (Mr. UPTON). The gentleman from California is correct. The gentleman from California [Mr. MILLER] has 12 minutes remaining, and the gentleman from New Jersey [Mr. SAXTON] has 8 minutes remaining.

Mr. SAXTON. Mr. Speaker, I yield 1 minute to the gentleman from Delaware [Mr. CASTLE].

Mr. CASTLE. Mr. Speaker, I rise in strong support of H.R. 1965, a bill to re-

authorize the Coastal Zone Management Act.

Mr. Speaker, summer is rapidly approaching, marking the start of a time when an estimated 94 million people a year enjoy boating and fishing along the coast.

Soon much of the Washington, DC, population as well many other people across the country and throughout my State will head to southern Delaware to enjoy our many beaches and beautiful coastline.

I think the Delaware beaches truly are one of this region's most treasured assets, as many people enjoy fishing in Lewes, surf boarding at Indian River Inlet, swimming in Dewey Beach, and walking on the boardwalk in Rehoboth.

The Coast Zone Management Act is one of the reasons why Delaware's inland bays, wetlands, estuaries and dunes have been protected throughout the years, thereby helping our environmental areas as well as providing a tremendous boost to tourism in the Delmarva region.

This bill, which reauthorizes the Coastal Zone Management Act, assists Delaware and 28 other coastal States in developing management programs to preserve our beaches and natural areas.

This bill is voluntary for States, and provides grants to those coastal States which develop programs protecting natural areas, under several Federal parameters. I am pleased that most of our coastal States participate in this program.

This bill is a good example of how Federal State and local governments and communities can work together to protect the environment and ensure an environmental legacy for our future generations.

This bill will help preserve the dunes, keep the water clean, safe and pollution-free, and protect coastal wildlife—all of which will make our beaches and natural areas more enjoyable for many Americans.

I am proud to cosponsor this important environmental initiative, and I am pleased to see a bipartisan commitment to reauthorize and fund this important program.

Mr. SAXTON. Mr. Speaker, I yield 1 minute to the gentleman from West Palm Beach, FL [Mr. FOLEY].

Mr. FOLEY. Mr. Speaker, representing 42 miles of ocean coastline, I strongly support H.R. 1965.

Many States such as Florida depend on a healthy coastline for commerce, transportation, fishing, and recreation. In fact, over half of our Nation's population live in coastal areas and this population is expected to grow by 15 percent in the next 20 years.

Under this voluntary program, States receive Federal matching grants to implement a plan to protect coasts and prevent ocean pollution.

This program also extends to our Nation's estuaries. In my community, the

St. Lucie River Initiative, a group of concerned citizens, businesses and local community leaders, have worked together to protect the St. Lucie Estuary, the largest tributary to the Indian River Lagoon. This once vibrant body of water and habitat for plant and wildlife species is in serious decline today due to federally built canals that have disrupted the natural flow of water into the river.

Today, we have an opportunity to continue the Federal-State partnership in protecting our Nation's estuaries and coastlines.

I urge my colleagues to support the passage of H.R. 1965.

Mr. MILLER of California. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Speaker, again I am pleased that the previous speaker, who said that he represents part of the ocean coastline in the great State of Florida, which practically the whole State is along the coast, is supporting this Coastal Zone Management Act reauthorization. But he deserves a fig leaf. He earned a fig leaf and he cannot hide behind it. He cannot hide the fact that Republicans and he have consistently voted against protecting the environment and the health and safety of the American people.

On five key votes, the gentleman from Florida has joined with the Republican leadership four out of five times to vote for dumping more sewage into the ocean, against protecting wetlands, for gutting the Clean Water Act, and against allowing the EPA to enforce wetlands protection. So I give him his fig leaf that is duly earned.

Mr. FOLEY. I thank the gentleman from New Jersey [Mr. PALLONE]. I appreciate it. It is a great honor.

Mr. SAXTON. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts [Mr. TORKILDSEN].

Mr. TORKILDSEN. Mr. Speaker, I rise in strong support of H.R. 1965, the Coastal Zone Protection Act of 1996, and I look forward to its passage today.

The Coastal Zone Management Act [CZMA] is a voluntary, incentive-based program which protects coastal States, such as Massachusetts by giving States the authority over Federal activities that affect the State's coastal resources. The Federal CZMA has a strong track record of successes and bipartisan support because it is voluntary. CZMA enables States to protect their rights while protecting and promoting important coastal dependent industries such as shipping, fisheries, tourism, and recreation. CZMA continues to play an important role in Massachusetts promoting environmentally sustainable economic development.

In 1978, the Massachusetts Coastal Zone Management Program [MCZM] became the first on the east coast to

receive Federal approval. Since that time the Massachusetts program has played an integral role serving as liaison among local, State, and Federal agencies providing technical review and assistance in marine policy, law, and the sciences.

Today, it works to reduce water pollution from point and non-point sources thereby enabling hundreds of acres of commercially important shellfish beds to be reopened. Last year, over 400 acres were reopened and predictions are 1,000 acres will be reopened in the next year.

Currently, Massachusetts Coastal Zone Management is assisting important ports and harbors throughout Massachusetts to assess their dredging needs and develop cost effective and environmentally safe disposal solutions. At the request of Governor Weld, Massachusetts is leading the development of a State strategy for aquaculture. These initiatives are expected to assist in the economic revitalization of Massachusetts ports hard hit by the New England fisheries collapse.

Mr. Speaker, I strongly urge an "aye" vote on H.R. 1665.

Mr. SAXTON. Mr. Speaker, I have no further requests for time on my side.

Mr. MILLER of California. Mr. Speaker, I yield back the balance of my time.

Mr. SAXTON. Mr. Speaker, I yield myself such time as I may consume. I thank the gentleman for yielding back the balance of his time.

Mr. Speaker, let me just make a couple of points. First, Mr. Speaker, I believe that inasmuch as this bill has made it to the level that it has in this debate, and inasmuch as I think Members on both sides of the aisle understand how important it is to protect the environmental ecosystems in all coastal areas around our state, that the bill certainly deserves the full support of all Members of the House. I hope it will pass unopposed.

I would point out, Mr. Speaker, that in states like New Jersey, where the gentleman from New Jersey, [Mr. PALLONE] and I come from, this bill take on enormous importance, because in highly populated areas like our State, east of the Garden State Parkway and to the Atlantic ocean, the people who reside in those areas and the wildlife that reside there and the wildlife that reside in the ocean, for that matter, participate in an unabashed way in being able to use those ecosystems which are protected through this act.

I must also say, Mr. Speaker, I was somewhat disappointed by the tenor of this debate, because we have tried to approach this matter from the beginning, in the subcommittee and thereafter, as a bipartisan issue. As a matter of fact, I think many members of the subcommittee on both sides are proud to have participated in the various debates that have led us to today.

So, Mr. Speaker, without further ado, I ask that the vote be considered at this point, and again I ask for the affirmative support by Members on both sides of the aisle.

Mr. FARR of California. Mr. Speaker, I rise today in strong support of H.R. 1675 because it will reauthorize the 1972 Coastal Zone Management Act. There are many reasons to champion the CZMA. But one reason stands above all others: This law saved our coasts. Back in the late sixties and early seventies we all saw runaway urban sprawl eating up some of our most precious coastlines at breakneck speed.

And my own home State of California led the race. At the development rates of the time, we thought that the entire California coast would be an unbroken chain of housing tracts, hotels, and condos by the turn of the century. The entire burden of planning and coping with this coastal development was left to local counties—which didn't have the resources or expertise to deal with the problem. They also only focused on their stretch of coast and could not see the forest through the trees.

Then came the CZMA. It said to the States "If you come up with a plan to manage your State's coastal resources, then the Federal Government will provide funding to help you implement the plan." California and 28 other States took up the offer and designed and implemented coastal plans.

In California, voters passed the Coastal Act which created the California Coastal Commission and the California Coastal Conservancy. These twin State agencies have worked over the past 20 years to manage growth along California's coast and to preserve the coast's most unique and valuable resources.

These State agencies have used the CZMA to help stem the runaway sprawl along the California coast and we are the only statewide land use planning body in California.

And that kind of planning has helped protect California's economy. My friend Doug Wheeler, California's Secretary of Resources, recently released a report on the role of California's coastal resources in its future. The report found that coastal dependent industries contributed over \$17 billion a year to California's economy and supported over 370,000 jobs. Coastal tourism alone contributes \$10 billion a year to the State's economy.

In closing I want to thank JIM SAXTON, chairman of the Oceans and Fisheries Subcommittee, for his leadership and hard work in getting this bill passed. It has been a hard up-hill fight for him. Although reauthorization of the CZMA now seems noncontroversial, the chairman had to fight against his own party's leadership which held up this legislation for over 1 year.

In fact, one of the assumptions of the failed 1995 budget resolution was the termination of the entire Coastal Zone Management Program. So I think that any credit claimed by the Republican leadership for the passage of this bill belongs solely to JIM SAXTON.

H.R. 1665 is crucial to the environment and economies of all 35 coastal States. I urge its passage.

Mr. SAXTON. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from New Jersey [Mr. SAXTON] that the House suspend the rules and pass the bill, H.R. 1665, as amended.

The question was taken.

Mr. SAXTON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

#### COOPERATIVE FISHERIES MANAGEMENT ACT OF 1996

Mr. TORKILDSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2160) to authorize appropriations to carry out the Interjurisdictional Fisheries Act of 1986 and the Anadromous Fish Conservation Act, as amended.

The Clerk read as follows:

H.R. 2160

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Cooperative Fisheries Management Act of 1996".

#### SEC. 2. REAUTHORIZATION OF INTERJURISDICTIONAL FISHERIES ACT OF 1986.

Section 308 of the Interjurisdictional Fisheries Act of 1986 (16 U.S.C. 4107) is amended—

(1) by amending subsection (a) to read as follows:

"(a) GENERAL APPROPRIATIONS.—There are authorized to be appropriated to the Department of Commerce for apportionment to carry out the purposes of this title—

"(1) \$3,400,000 for fiscal year 1996;

"(2) \$3,900,000 for fiscal year 1997; and

"(3) \$4,400,000 for fiscal year 1998.";

(2) in subsection (c) by striking "\$350,000 for each of the fiscal years 1989, 1990, 1991, 1992, and 1993, and \$600,000 for each of the fiscal years 1994 and 1995," and inserting "\$650,000 for fiscal year 1996, \$700,000 for fiscal year 1997, and \$750,000 for fiscal year 1998.";

(3) in subsection (d)—  
(A) in the heading by striking "GRANTS" and inserting "ASSISTANCE";

(B) in paragraph (1) by striking "award grants to person engaged in commercial fisheries, for uninsured losses determined by the Secretary to have been suffered" and inserting "help persons engaged in commercial fisheries, either by providing assistance directly to those persons or by providing assistance indirectly through State and local government agencies and nonprofit organizations, for projects or other measures to alleviate harm determined by the Secretary to have been incurred";

(C) in paragraph (3), by striking "a grant" and inserting "direct assistance to a person";

(D) in paragraph (3) by striking "gross revenues annually," and inserting "net revenues annually from commercial fishing,";

(E) by striking paragraph (4) and inserting the following:

"(4)(A) Assistance may not be provided under this subsection as part of a fishing capacity reduction program in a fishery unless



the Secretary determines that adequate conservation and management measures are in place to rebuild the fishery over a reasonable time period.

"(B) As a condition of awarding assistance with respect to a vessel under a fishing capacity reduction program, the Secretary shall—

"(i) prohibit the vessel from being used for fishing; and

"(ii) require that the vessel be—

"(I) scrapped or otherwise disposed of in a manner approved by the Secretary; or

"(II) donated to a nonprofit organization and thereafter used only for purposes of research, education, or training.

"(C) A vessel that is prohibited from fishing under subparagraph (B) shall not be eligible for a fishery endorsement under section 12108(a) of title 46, United States Code, and any such endorsement for the vessel shall not be effective."; and

(F) in paragraph (5) by striking "for awarding grants" and all that follows through the end of the paragraph and inserting "for receiving assistance under this subsection."

### SEC. 3. REAUTHORIZATION OF THE ANADROMOUS FISH CONSERVATION ACT.

Section 4 of the Anadromous Fish Conservation Act (16 U.S.C. 757d) is amended to read as follows:

"Sec. 4. (a)(1) There are authorized to be appropriated to carry out the purposes of this Act not to exceed the following sums:

"(A) \$4,000,000 for each of fiscal years 1996 and 1997.

"(B) \$4,250,000 for fiscal year 1998.

"(2) Sums appropriated under this subsection are authorized to remain available until expended.

"(b) Not more than \$625,000 of the funds appropriated under this section in any one fiscal year shall be obligated in any one State."

### SEC. 4. AMENDMENT TO THE FISHERIES ACT OF 1995.

Section 309(b) of the Fisheries Act of 1995 (Public Law 104-43) is amended by striking "July 1, 1996" and inserting "July 1, 1997".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts [Mr. TORKILDSEN] and the gentleman from Massachusetts [Mr. STUDDS] will each be recognized for 20 minutes.

The Chair recognizes the gentleman from Massachusetts [Mr. TORKILDSEN].

Mr. TORKILDSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2160, the Cooperative Fisheries Management Act of 1995 reauthorizes two important fisheries laws: the Interjurisdictional Fisheries Act of 1986 and the Anadromous Fish Conservation Act.

Both these laws help coordinate the management of species that migrate between Federal and State waters, as well as those species migrating between neighboring States' waters. With the reauthorization of these two laws, we will provide much needed resources to States to coordinate the management of these migrating species of fish.

In addition, this legislation allows the National Oceanic and Atmospheric Administration to release disaster assistance funds in New England, the Northwest, and the Gulf of Mexico. It

is important to note that these disaster assistance funds have already been appropriated and this bill only makes legislative changes to allow the money to be used in the regional assistance programs.

For example, NOAA is conducting a vessel buy-out program in the Northeast to reduce fishing capacity. Currently, NOAA is limited to purchasing vessels valued under \$100,000. This does not allow NOAA to buy-out the larger vessels, which tend to catch more fish, and are often valued at well over \$100,000. During the pilot vessel buy-out program, over 95 percent of the 114 voluntary bids received were over \$100,000. This legislation lifts this cap to allowing NOAA to include the vast majority of fishing vessels in this buy-out program.

Additionally, this bill changes the term "gross revenues" to "net revenues from commercial fishing." This change will allow the New England buy-out program to target high-liners and large vessels which might not be eligible because the vessel owner earned too much money either from fishing or from other related ventures. This type of large, successful vessel may be the very type of vessel we need to remove from the fishery. This change will allow NOAA the flexibility to target those vessels which have had the most impact on groundfish stocks, buy them out, and remove them from the fishery.

H.R. 2160, assures that vessels bought under this program will be removed from fishing in any fishery, including State waters, by invalidating the commercial fishing endorsement on the Coast Guard documentation for any vessel participating in the buy-out program. Vessels purchased through this buy-out program must either be scrapped, disposed of in a manner approved by the Secretary, or donated to a nonprofit for the purposes of education, training or research.

As I previously stated this bill also makes legislative changes allowing NOAA to expend the much needed disaster assistance funding in the Northwest and the Gulf of Mexico.

Mr. Speaker, fishing families in my district, and throughout the country, are struggling to adjust to new Federal restrictions on groundfishing. And while some new regulations are necessary, we in Congress have an obligation to assist fishing families survive the difficult transition period ahead.

This bill takes several steps to provide relief to fishing families who have never asked for anything more than the chance to make an honest living.

Mr. Speaker, I urge the passage of this important legislation, and I reserve the balance of my time.

Mr. STUDDS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this bill which reauthorizes appropriations

for two small, but important Federal grants programs, the Interjurisdictional Fisheries Act and the Anadromous Fish Conservation Act.

These two acts authorize grants to States to encourage them to develop cooperative agreements, research, and management plans to conserve and protect anadromous and other coastal fishery resources. These are not new programs. Both have been successfully implemented for many years, and both share broad support among State and Federal fisheries management agencies and the three interstate fisheries management commissions.

In addition, the bill authorizes the Secretary of Commerce to implement a vessel buyout program to reduce overcapacity in the decimated New England groundfish fishery. This buyout will be an integral part of the effort to rebuild the stocks in New England, but it will not do the entire job. For that reason, the bill also requires that a rebuilding plan, recently developed by the New England Fishery Management Council, must be approved by the Secretary before the buyout may proceed.

This is a noncontroversial bill that extends two programs which have enjoyed years of success and ensures that taxpayer dollars spent on a buyout in New England will achieve the desired results. I ask Members to support it passage.

Mr. Speaker, to the best of my knowledge, there are no further figleaves at the moment on this side, although I must say to the gentleman I find it difficult to picture either Venus or Neptune so attired. Maybe we are immune here.

Mr. Speaker, I reserve the balance of my time.

Mr. TORKILDSEN. Mr. Speaker, in the spirit of a fig leaf-free Congress, I yield such time as he may consume to the gentleman from New Jersey [Mr. SAXTON].

Mr. SAXTON. Mr. Speaker, I thank the gentleman for being here today to manage this bill and for the very important role that he played in supporting this bill to get it here.

I would also like to say to the gentleman from Massachusetts [Mr. STUDDS], I thank him for his very fine cooperation on this and many other bills we have worked on together during his tenure here.

Mr. Speaker, I rise in strong support of H.R. 2160, the Cooperative Fisheries Management Act. This legislation will reauthorize two important fishery Acts: the Inter-jurisdictional Fisheries Act and the Anadromous Fish Conservation Act.

These two acts have done an exceptional job of getting the States, the Federal Government, non-Federal interests and, in some cases, foreign nations to cooperate in the management of transboundary fishery resources.

Both of these acts use grant money to fund research done by the States,

interstate commissions, or other interested parties. This allows us to gain a greater understanding of the resource and improve our management techniques.

By reauthorizing these acts, we are demonstrating our commitment to the survival and longevity of these unique fishery resources. Without cooperative management, these resources will likely become depleted, and some species could become extinct. I think it is important to note that we have reduced authorization levels for both of these programs by almost 50 percent.

Mr. Speaker, this is an important piece of legislation and I urge my colleagues to vote "aye" on H.R. 2160.

□ 1630

Mr. TORKILDSEN. Mr. Speaker, I yield such time as he may consume to the gentleman from Maine [Mr. LONGLEY].

Mr. LONGLEY. Mr. Speaker, I want to speak on behalf of the act. I think the bill authorizes two important fisheries management laws, the Interjurisdictional Fisheries Act of 1986 and the Anadromous Fish Conservation Act. These laws promote, through grant programs, coordination between State and Federal agencies in the management of migrating species of fish.

H.R. 2160, in addition, will allow for the expenditure of already appropriated disaster relief money in the Northwest, the Gulf of Mexico, and for a vessel buyout program in New England.

Mr. Speaker, I end my remarks by urging Members to support this bill, but with a particular reference to the very difficult time that many of the fishermen from Maine are having dealing with the depletion of the species and the need to restore our stocks. There is a limited amount that the Federal Government can do, but we are trying to do what we can to provide some relief to the fishermen that are under such distress.

So, again, I compliment my colleagues from Massachusetts on both sides of the aisle for their efforts in support of this legislation.

Mr. STUDDS. Mr. Speaker, I yield myself such time as I may consume to say that I have no further requests for time, and I note the return of a bipartisan comity down here, and I am tempted to call up a number of other bills but I will resist.

Mr. Speaker, I yield back the balance of my time.

Mr. TORKILDSEN. Mr. Speaker, I yield myself such time as I may consume to say, in closing, I would like to applaud my colleague from Massachusetts as ranking member of the subcommittee, also in his previous role as chairman of the Committee on Merchant Marine and Fisheries, a very, very strong advocate of this program and many other programs, both to pro-

tect the environment and to assist fishing families. We certainly appreciate the spirit in which he has offered many pro-environmental and pro-fishing pieces of legislation, and we will certainly miss that contribution to the House Chamber when he retires at the end of this year.

Mr. Speaker, I also want to applaud the effort of our colleague from New Jersey, the chairman of the subcommittee, for the leadership he has shown in bringing this important legislation to the floor. Again, on behalf of the environment, on behalf of States managing coastal areas, I urge all Members to vote for this legislation.

Ms. FURSE. Mr. Speaker, I rise today in strong support of H.R. 2160, the Cooperative Fisheries Management Act. Oregon's fishermen and women who have been devastated by plummeting salmon populations will benefit greatly from this bill.

The bill accomplishes three important goals. First, the bill will allow emergency Federal assistance for fishery disasters to be provided directly to the fishers affected. Second, the measure eliminates the current cap which limits the amount of disaster assistance a fisher may receive. And finally, the bill will eliminate the \$100,000 limit on assistance to any individual.

While not a cure for the complex problem of restoring the world-class salmon runs of the Pacific Northwest, this bill will help alleviate some of the hardships felt by displaced fishers. In short, H.R. 2160 helps cut out the road blocks and redtape in the fishing disaster relief program.

In August 1995, we were fortunate enough to receive a multimillion dollar assistance package for Northwest salmon fishers who had been hard-hit by the collapse of fishery resources from the effects of El Nino and drought. Passage of this legislation will ensure that we can distribute these funds in a more efficient manner and gain the most relief per dollar for struggling Northwest fishing communities.

I greatly appreciate the leadership of Chairman YOUNG and Representative STUDDS on this legislation and their willingness to honor the requests of Pacific Northwest legislators like myself to move this bill quickly so that fishers in our districts can benefit immediately from its provisions.

Mr. TORKILDSEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. UPTON). The question is on the motion offered by the gentleman from Massachusetts [Mr. TORKILDSEN] that the House suspend the rules and pass the bill, H.R. 2160, as amended.

The question was taken.

Mr. TORKILDSEN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

#### WAIHEE MARSH INCLUSION IN OAHU NATIONAL WILDLIFE REFUGE COMPLEX

Mr. SAXTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1772) to authorize the Secretary of the Interior to acquire certain interests in the Waihee Marsh for inclusion in the Oahu National Wildlife Refuge Complex, as amended.

The Clerk read as follows:

H.R. 1772

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

#### SECTION 1. AUTHORITY TO ACQUIRE INTERESTS FOR INCLUSION IN THE OAHU NATIONAL WILDLIFE REFUGE COMPLEX.

(a) AUTHORITY TO ACQUIRE.—The Secretary of the Interior may acquire, for inclusion in the Oahu National Wildlife Refuge Complex, the area known as the Waihee Marsh, located on the northeast coast of the Island of Oahu, Hawaii, consisting of approximately 36 acres (as determined by the Secretary) along both sides of Kamehameha Highway.

(b) MANAGEMENT OF ACQUIRED INTERESTS.—Lands and interests acquired by the United States under this section shall be managed by the Secretary of the Interior as part of the Oahu National Wildlife Refuge Complex.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey [Mr. SAXTON] and the gentleman from Massachusetts [Mr. STUDDS] will each be recognized for 20 minutes.

The Chair recognizes the gentleman from New Jersey [Mr. SAXTON].

Mr. SAXTON. Mr. Speaker, thank you for the opportunity to speak about H.R. 1772, the Oahu National Wildlife Refuge Complex Act, introduced by Congresswoman PATSY MINK. H.R. 1772 would facilitate an agreement to allow the Secretary of the Interior to add 36 acres of wetlands to the Oahu National Wildlife Refuge Complex.

These wetlands are home to several threatened and endangered species including the Hawaiian stilt, Hawaiian coot, and Hawaiian duck. The wetlands also capture and retain stormwater runoff.

This bill provides protection for the fragile Hawaiian ecosystem and I urge all Members to support it.

Mr. Speaker, I reserve the balance of my time.

Mr. STUDDS. Mr. Speaker, I yield myself such time as I may consume.

This bill, as the gentleman said, is both without controversy and with merit, which is something we should see around here more often.

Mr. Speaker, I am delighted to yield such time as she may consume to its author, the gentlewoman from Hawaii [Mrs. MINK].

Mrs. MINK of Hawaii. Mr. Speaker, I thank the gentleman for recognizing my presence here today and acknowledging my great State of Hawaii. I



want to thank both gentlemen from Massachusetts for according me the opportunity to speak today in support of a very important bill.

It is connected with the whole concept of preserving our environment, and particularly our coastal areas. This bill is a very important component in Hawaii's battle against the endangered species crisis, and I think most people in the House recognize that Hawaii represents the State with the most endangered and threatened species. So it is not simply a matter of pleasure in having this one bill reported today, but the recognition of the total devastation of our unique species that really is in the forefront today through the passage of this bill.

The decline in the critical habitat in my State has escalated over the last 100 years, during massive development and other kinds of activity. So currently we have 222 endangered and threatened species, birds, mammals, plants, and so forth, which represent 23.2 percent of the total national list of all endangered species. So I think that gives Members an idea that this small place on this Earth has suffered this tragedy of the loss of so many unique species.

Today, through the passage of this bill, we hope that one small acreage of only 36 acres in an important area of the Island of Oahu can be preserved and set aside as a wetland for a number of important reasons.

The status of our wetland ecosystems in Hawaii has also degraded to a point where it has declined by 30 percent in the last 100 years or so, leaving only 15,000 acres of wetland. So the Fish and Wildlife Service has become very concerned about this loss, and although 36 acres is not very much, when we realize that the Fish and Wildlife has only 2,000 acres under its management, we understand how the addition of 36 acres is very important.

The Waihee Marsh wetlands is split already by a major highway that cuts both the ocean fronting portion together with the lands that are inland, and this of course makes it very difficult for preservation. Urban development around the area also has threatened to dispose of this very important wetlands. So this intervention of this bill today and allowing the Secretary of the Interior to establish this unit of 36 acres, together with the existing Oahu National Wildlife Refuge System, is a very important step and we hope that the Secretary of Interior will see fit to do so.

The Fish and Wildlife has long recommended this acquisition. The lands under question are now owned by a private individual, a Florida developer, who has indicated his willingness to sell the property if it is possible for him to obtain like properties in the same vicinity. He alleges that he has intended to be a good neighbor and to be in agriculture.

So the Trust for Public Land that has been an important entity in the State in helping the Federal, State, and local governments to acquire important properties has written a letter, which, Mr. Speaker, I will insert at the end of my statement.

The Trust for Public Land has indicated that they are interested in acquiring the parcel expeditiously and perhaps after doing so to make a contribution of the parcels to the Federal Government. That is to be worked out later. But the interest of the public trust is very important and with their rapid all cash acquisition of the properties promised, we feel that this valuable asset is ready for inclusion into the wildlife system.

So I am very much encouraged by this bill coming to the floor today and, with the support of the Members of this body, we hope that this acquisition will be made possible. It is an important wetland not only for the purposes of the endangered species, but it is in fact the drainage system for the whole area and, through the wetlands, is sort of a sponge for the sediments and other kinds of floodwaters going through this particular valley. It happens to preserve the quality of Kane'ohe Bay, which is adjoining and a very important asset for all of us.

So with the enactment of this bill, Mr. Speaker, the conservation of this marsh will be applauded by all segments of my community and all government agencies and all political and social, environmental interests. So I commend the committee for giving this House the opportunity to pass this bill and hope that the Members will give it a unanimous accord.

I would like to thank Chairman DON YOUNG and Ranking Member GEORGE MILLER of the Resources Committee, as well as Chair JIM SAXTON and Ranking Member GERRY STUDDS of the Subcommittee on Fisheries Wildlife and Oceans for moving forward my bill H.R. 1772 which is before us today.

My bill, H.R. 1772, represents an important component in Hawaii's battle against its current endangered species crisis. H.R. 1772 aims to preserve the 36-acre Waihee Marsh wetland in Kahaluu, on the Island of Oahu, which the Department of Interior has testified provides habitat to endangered and threatened species including the Hawaiian Stilt, Hawaiian coot, Hawaiian duck, and several migratory birds.

A decline in critical habitat in the State of Hawaii due to escalated development and agricultural activity has led to the listing of 222 endangered and threatened bird, mammal, plant and snail species, 23.2 percent of the national total of 956 listed species. This is despite the fact that Hawaii represents a mere 0.2 percent of the United States in land area. The biggest tragedy is that many species native to the Hawaiian Islands are unique in the world and can never be found anywhere else once populations in Hawaii become extinct.

The last hundred years of human activity in Hawaii has resulted in deterioration of all

major ecosystems, according to the Hawaii Heritage Program. Land development and the introduction or the intrusion of non-native vegetation has forced most native ecosystems up into the mountain ranges away from the coastal areas—also from the Waihee Marsh on the northeastern windward coast.

The status of Hawaii's wetland ecosystems in particular is grim, as my State's coastal wetland habitat declined 31 percent between 1880 and 1980, leaving only 15,474 acres of wetland, according to the U.S. Fish & Wildlife Service [FWS] in 1990; the wetlands loss in the areas surrounding Waihee Marsh was between 80 and 90 percent. Only 2,000 of the remaining 15,474 areas are currently managed by FWS.

The Waihee Marsh wetland to be protected by H.R. 1772 was split apart by a major highway. The wetland was further threatened in previous years as the subject of several urban development proposals successfully blocked by the Kahaluu Neighborhood Board No. 29, which strongly supports retention of the area's rural character and Federal acquisition.

The U.S. Fish & Wildlife Service identified Waihee Marsh in its 1993 revised Hawaiian Waterbirds Recovery Plan as essential habitat for the recovery of endangered waterbirds. FWS in 1990 identified Waihee Marsh as a priority wetland acquisition site in its Regional Wetlands Concept Plan: Emergency Wetlands Resource Act. FWS reiterated the wetland's significance in its December 15, 1994 Report on the Potential Rehabilitation and Management of the Waihee Wetland.

On July 13, 1994, the Honolulu City Council unanimously passed a resolution requesting action by Hawaii's Congressional Delegation to provide for the acquisition of the Waihee Marsh.

On November 18, 1994, a major parcel of Waihee Marsh was sold to a Florida developer who sought to divide the wetland once again by building an access road directly through the middle of the wetland; however, efforts by State and county government convinced the landowner to build the road at the parcel's border.

Approached by the Trust for Public Land [TPL] in August, 1995, the landowner expressed interest in selling the parcel, should another parcel of comparable value be made available. TPL this month wrote to the landowner to express willingness to work toward a rapid, all-cash acquisition of the property to preserve the land's valuable natural resources.

Clearly, the range of efforts to conserve Waihee Marsh are wide in scope.

My bill seeks to allow the Secretary of the Interior to acquire and add the Waihee Marsh to the existing Oahu Natural Wildlife Refuge Complex managed out of Haleiwa on Oahu. Establishment of a new on-site management office would not be necessary because Haleiwa staff would visit the wetland on a rotating basis, along with the Pearl Harbor and James Campbell National Wildlife Refuges on Oahu and the Kakahaia National Wildlife Refuge on the Island of Molokai.

This palustrine wetland contains bird habitat mainly in its interior, which is subject to prolonged ponding during rainy seasons and

overgrown at the edges with introduced vegetation that serves as a buffer for the inner wetlands. Waihee Marsh is also framed by embankments to protect the wetland from surrounding man-made developments.

In addition to having conservation value, the wetland provides flood control for nearby areas of Waihee and Kaalaea. It also captures and retains stormwater runoff to preserve coral ecosystems and water quality of the adjacent Kaneohe Bay.

Passage of my bill will allow FWS to fulfill several management priorities it has recognized, which would restore and maintain Waihee Marsh as a healthy, naturally-functioning wetland: First, dredging of sediments to improve water quality and recreate suitable waterbird habitat, second, predator control to humanely trap cats, mongooses and rats; prevent entry of dogs by fences, and prevent predator access to nesting sites, third, removal of introduced plant species which have overgrown parts of the wetland, and fourth, general habitat improvement to create and maintain a mosaic of waterbird habitats such as shallow mudflats, deeper open water areas, dense vegetative areas and other natural wetland features.

FWS has also found possibilities of educational benefits through establishment of outlooks along the adjacent Kamehameha Highway and student field-trips. Because Waihee Marsh was once farmed by Native Hawaiians, the analysis of archaeological and cultural sites would contribute to the study of Hawaii's indigenous people.

I strongly urge the enactment of H.R. 1772. Conservation of Waihee Marsh has unanimous support from the community, Federal, State, and local government, and environmental interests, and would play an important role in Hawaii's efforts to combat its endangered species crisis.

THE TRUST FOR PUBLIC LAND,  
San Francisco, CA, April 22, 1996.

HON. PATSY MINK,  
Rayburn House Office Building, Washington, DC.

DEAR CONGRESSWOMAN MINK: I am writing to commend you on your efforts through H.R. 1772 to secure the protection of the important wetland habitat of Waihee Marsh on Oahu.

As you know well, the 36-acre Waihee Marsh area contains some of the last remaining unprotected habitat for the federally listed Hawaiian moorhen and provides critical feeding grounds and nesting cover for a wide diversity of other migratory and residential species. Additionally, the marsh, which is subject to periodic flooding, also provides essential filtration of waters flowing to the coral reefs and estuarine areas of nearby Kaneohe Bay. Public management of this property therefore would not only preserve and enhance the resources of the marsh itself, but will also contribute substantially to the restoration of this larger ecosystem, a major environmental goal towards which your recent work with us (and the federal/state/local investment of over \$6 million) to protect the 2.5 miles of Kaneohe Bay shoreline of the Marks Estate also plays a major role. With the progress to date in this effort, and the current threat of incompatible activity and development at Waihee Marsh, the time is right for consideration of H.R. 1772.

As you also know, the Trust for Public Land is prepared to take an active role, to

the extent we can, in assisting in the acquisition of these private lands if such assistance is necessary. In any event, we appreciate the commitment and leadership you have shown in this effort, and look forward to the ultimate preservation of this vital wetland area.

Sincerely,

ALAN FRONT,  
Vice President.

Mr. STUDDS. Mr. Speaker, I second the remarks of the gentlewoman from Hawaii, all of Hawaii except for Honolulu.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SAXTON. Mr. Speaker, I want to congratulate the gentlewoman on the fine job she has done in putting this bill together and in helping us to bring it to the floor.

Mr. ABERCROMBIE. Mr. Speaker, I rise today to voice my strong support for H.R. 1772, to authorize the Secretary of the Interior to acquire certain interests in the Waihee Marsh for inclusion in the Oahu National Wildlife Refuge, introduced by my colleague from Hawaii, Representative PATSY MINK.

The Waihee Marsh, also called the Kahalu'u wetland, is located on the windward side of Oahu. Acquisition of Waihee Marsh is vital to the integrity of the Oahu National Wildlife Refuge [Refuge]. The purpose of the refuge is to protect and manage a network of wetlands throughout Oahu for the recovery of endangered waterbirds, migratory birds, and other values of natural wetlands. Specifically, Waihee Marsh is identified as a priority wetland site in the U.S. Fish and Wildlife Service's regional wetlands concept plan: Emergency Wetlands Resource Act [USFWS 1990]. Throughout Hawaii there has been a substantial cumulative loss of wetlands.

I would like to point out to my colleagues in the House that the natural environment of Hawaii is one of our planet's most significant treasures. The islands are home to more unique species than any place of similar size on the Earth. Yet, Hawaii has the most alarming concentration of species teetering on the brink of extinction. While Hawaii makes up only 0.2 percent of the land area we account for nearly 75 percent of the Nation's historically documented plant and bird extinctions of the United States. Currently, more than one-fourth of the 959 animals and plants on the U.S. endangered and threatened species list come from Hawaii.

Under H.R. 1772 Waihee Marsh would be rehabilitated and managed for the recovery and support of endangered Hawaiian waterbirds, such as the endangered Hawaiian Stilt, Hawaiian coot, Hawaiian moorhen and Hawaiian duck, which are all protected under the Endangered Species Act. Also, wetlands in Hawaii provide habitat for several species of migratory shorebirds and waterfowl which are protected under the Migratory Bird Treaty Act.

I want to mention to my colleagues that the importance of Waihee Marsh is not limited to plants and animals. This has been an issue that has been worked from the grassroots. I commend all the hard work put in by the local communities. The Waihee Marsh is important for the surrounding communities because it

naturally serves as a flood control holding area and the vegetation contributes to the control of shoreline erosion for nearby residential areas. Also, the marsh serves as a filter to protect water quality and coral reef communities in Kaneohe Bay.

Mr. Speaker, this is a worthwhile piece of legislation that deserves the full support of all my colleagues.

Mr. YOUNG of Alaska. Mr. Speaker, I rise in support of H.R. 1772, introduced by our colleague from Hawaii, PATSY MINK, to add some 36 acres of wetlands to the Oahu National Wildlife Refuge complex.

It is my understanding that these wetlands are essential habitat for a number of native Hawaiian birds and migratory waterfowl.

While the U.S. Fish and Wildlife Service has apparently been interested in acquiring the entire Waihee Marsh wetlands for a number of years, the purchase costs have been prohibitive.

This bill will simply tell the Secretary of the Interior that he may obtain these lands for inclusion in the refuge without providing any money to buy them.

While I intend to support H.R. 1772, I do so with the stipulation that if these wetlands are purchased by the Federal Government, all private property owners must be willing sellers and they must be fully compensated for their land interests.

I urge an "aye" vote on H.R. 1772.

Mr. SAXTON. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey [Mr. SAXTON] that the House suspend the rules and pass the bill, H.R. 1772, as amended.

The question was taken.

Mr. SAXTON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

#### AMAGANSETT NATIONAL WILDLIFE REFUGE

Mr. LONGLEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1836) to authorize the Secretary of the Interior to acquire property in the town of East Hampton, Suffolk County, NY, for inclusion in the Amagansett National Wildlife Refuge.

The Clerk read as follows:

H.R. 1836

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

#### SECTION 1. AUTHORITY TO ACQUIRE PROPERTY FOR INCLUSION IN THE AMAGANSETT NATIONAL WILDLIFE REFUGE.

(a) AUTHORITY TO ACQUIRE PROPERTY.—The Secretary of the Interior may acquire, for inclusion in the Amagansett National Wildlife



Refuge, the area known as the Shadmoor Parcel, consisting of approximately 98 acres (as determined by the Secretary) located along the Atlantic Ocean adjacent to municipal park land in the town of East Hampton, Suffolk County, New York.

(b) MANAGEMENT OF ACQUIRED INTERESTS.—Lands and interests acquired by the United States under this section shall be managed by the Secretary of the Interior as part of the Amagansett National Wildlife Refuge.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maine [Mr. LONGLEY] and the gentleman from Massachusetts [Mr. STUDDS] will each be recognized for 20 minutes.

The Chair recognizes the gentleman from Maine [Mr. LONGLEY].

Mr. LONGLEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today we are considering H.R. 1836, a bill to authorize the Secretary of the Interior to acquire property in the town of East Hampton, NY, for inclusion in the Amagansett National Wildlife Refuge. This legislation was introduced by Congressman MICHAEL FORBES on June 14, 1995. An identical bill was proposed by New York Senators PATRICK MOYNIHAN and AL D'AMATO on November 17, 1995.

These measures would allow the Secretary of the Interior to acquire a 98-acre ocean-front parcel of land in Montauk, East Hampton Town, NY, known as Shadmoor. The land would be added to the Amagansett National Wildlife Refuge, which is part of the Long Island Refuge complex located 10 miles to the west. The town of East Hampton owns a 20-acre parcel of land adjacent to the eastern boundary of the Shadmoor property.

Currently, title to the Shadmoor property is held by private individuals who are interested in developing a housing project on this site. In fact, the owners are proposing to build 14 homes and have a development permit pending before the town of East Hampton.

The Shadmoor parcel does contain one of the largest populations of New York State's most endangered plant, a flowering plant that lives in only 12 places in the world; 4 of these locations are on Long Island. In addition, this property contains six other rare plants and historic World War II coastal defenses. The Shadmoor property consists of maritime shrub land, freshwater wetlands, and maritime grasslands.

The U.S. Fish and Wildlife Service has been interested in this property for a number of years. In fact, the Shadmoor parcel was targeted for acquisition in the Service's 1991 Northeast Coastal Areas study. To date, they have lacked the financial resources to buy this 98-acre parcel of land. On November 3, 1995, the East Hampton Town Board approved a resolution expressing their commitment to share the acquisition cost of the Shadmoor property

with the Fish and Wildlife Service. The Service hopes to pursue acquisition in partnership with the town and private land protection groups.

The National Wildlife Refuge System is comprised of Federal lands that have been acquired for the conservation and enhancement of fish and wildlife. Totalling about 91.7 million acres, the System provides habitat for hundreds of fish and wildlife species, including more than 165 species listed as threatened or endangered under the Endangered Species Act. The first wildlife refuge was established by President Theodore Roosevelt at Pelican Island, FL, in 1903 to protect egrets, herons, and other birds that were being killed to provide feathers for the fashion industry.

The Shadmoor property will provide a useful addition to the System, and I urge an "aye" vote on this bill.

□ 1645

Mr. Speaker, I reserve the balance of my time.

Mr. STUDDS. Mr. Speaker, the gentleman is absolutely correct. As a matter of fact, there is probably not much left to be said, which has probably been noticed by the gentleman from New York.

Mr. Speaker, I reserve the balance of my time.

Mr. LONGLEY. Mr. Speaker, I yield 10 minutes to the gentleman from New York [Mr. FORBES].

Mr. FORBES. Mr. Speaker, I thank my colleague from Maine and my colleague from Massachusetts.

Mr. Speaker, H.R. 1836 has been described quite adequately, and I take the well today to urge the adoption of H.R. 1836, legislation to authorize the Secretary of the Interior to move forward in the purchase of Shadmoor and make it a part of the Amagansett National Wildlife Refuge.

Mr. Speaker, this is a very important activity, one that I think is of eminent importance, given the fact that the Town of East Hampton has before it an application to develop this esthetic, historical and ecologically delicate property, something I think that we do not want to see certainly in my part of the world. The Shadmoor property, which has been described as a 98-acre dramatic ocean front property, is critical to the area of Montauk that this parcel rests on.

It is fitting, I think, also to recognize that Theodore Roosevelt, who began the national refuge system, spent some time on this parcel. In fact in 1898, when the 10th Black Cavalry returned from Cuba with the Rough Riders, they deployed from this site. So there is some ironic association between this parcel and of course the individual who started the whole national refuge system.

The Amagansett Wildlife Refuge would be well served to have this im-

portant parcel included. Not only is this parcel the siting of some habitat of plant species that are rather rare, and my colleague has already alluded to the fact that the sandplain gerardia, one of New York State's rarest plants, there are only five places left on Long Island where this rare species of plant is located. Of course Shadmoor is one of those critically located sites.

Shadmoor also is home to six State rare species, including the grasslead ladies tresses orchid and the New England blazing star. Shadmoor, as I said, was the site of the deployment of the 10th Black Cavalry as well as the site during World War II where bunkers were built that can still be seen today.

This legislation is critically important. I think, before we go too further, I would like to recognize first of all some individuals who have been laboring long and hard to try to preserve Shadmoor in perpetuity. Certainly I think the Nature Conservancy, Sara Davidson and Stuart Lowry from the Nature Conservancy on Long Island. Also Carol Morrison and Rau Fridel of the Concerned Citizens of Montauk. And of course the Town Board and Town of East Hampton have all championed the preservation of Shadmoor.

It is critical that this legislation receive approval not just by the House of Representatives and the U.S. Senate but that it be signed into law. I believe that, thanks to the support of director Mollie Beatty of the U.S. Fish and Wildlife Service, that we have moved forward and that it is highly likely that we can get this included in the Amagansett Wildlife Refuge.

This important parcel obviously needs to be preserved. Long Island and New York State have received almost no Federal dollars over the last 20 years for the acquisition of lands to protect endangered species. Nationally few dollars have been used to protect the habitat of critically imperiled plant species. Preserving 98 acres of dramatic ocean front at Montauk, Long Island will be an important addition to this whole national refuge system.

I thank both the gentleman from Alaska [Mr. YOUNG] and the gentleman from New Jersey [Mr. SAXTON] my good friend, for moving this legislation forward and for making it possible for the House to take into consideration this legislation today.

I urge its adoption.

Mr. STUDDS. Mr. Speaker, I was wrong. There was more to be said. I agree with this gentleman, too.

Mr. YOUNG of Alaska. Mr. Speaker, I am pleased to present to the House H.R. 1836, introduced by our colleague from New York, MIKE FORBES, to add a 98-acre ocean-front parcel of land in Montauk, NY, to the Long Island National Wildlife Refuge.

During our committee's deliberations on this bill, a local supervisor and a group of concerned citizens testified in strong support of

protecting this property called Shadmoor, which is essential habitat for several highly endangered plants.

While it is unclear how much it will cost the Federal Government to purchase this tract of land, I am encouraged by the fact that the local community in the Town of East Hampton, NY, has voted to share in the acquisition costs. This is a positive step in the right direction.

I am prepared to support H.R. 1836 based on this innovative cost-sharing commitment and the stipulation that those private citizens who now own Shadmoor are fully compensated for their property prior to its inclusion in the Long Island National Wildlife Refuge complex.

I urge an "aye" vote on H.R. 1836 and I compliment Congressman MIKE FORBES for his outstanding leadership in this matter.

Mr. SAXTON. Mr. Speaker, I am pleased that the House is considering H.R. 1836, the Amagansett National Wildlife Refuge Act, which was introduced by Representative MICHAEL FORBES.

H.R. 1836 would allow the Secretary of the Interior to acquire a 98-acre ocean-front parcel of land in Montauk, East Hampton Town, NY, known as Shadmoor.

This parcel contains one of the largest populations of New York State's most endangered plant, the sandplain gerardia.

The Shadmoor property represents valuable habitat for this endangered plant. I urge all Members to support the legislation.

Mr. STUDDS. I yield back the balance of my time.

Mr. LONGLEY. Mr. Speaker, I have no further request for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. UPTON). The question is on the motion offered by the gentleman from Maine [Mr. LONGLEY] that the House suspend the rules and pass the bill. H.R. 1836.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. LONGLEY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on H.R. 1836, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

#### TENSAS RIVER NATIONAL WILDLIFE REFUGE AUTHORIZATION INCREASE

Mr. JONES. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2660) to increase the amount authorized to be appropriated to the Department of the Interior for the Tensas River National Wildlife Refuge, as amended.

The Clerk read as follows:

H.R. 2660

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. INCREASE IN AMOUNT AUTHORIZED TO BE APPROPRIATED TO THE DEPARTMENT OF THE INTERIOR FOR THE TENSAS RIVER NATIONAL WILDLIFE REFUGE.

Section 5(1) of the Act entitled "An Act to establish the Tensas River National Wildlife Refuge", approved June 28, 1980 (Public Law 96-285, 94 Stat. 597), as amended by section 2 of Public Law 99-191 (99 Stat. 1327), is amended to read as follows:

"(1) beginning October 1, 1995, not to exceed \$20,000,000 to the Department of the Interior; and".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina [Mr. JONES] and the gentleman from Massachusetts [Mr. STUDDS] each will be recognized for 20 minutes.

The Chair recognizes the gentleman from North Carolina [Mr. JONES].

Mr. JONES. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today we are considering H.R. 2660, a bill to increase the amount authorized to be appropriated to the Department of the Interior for the Tensas River National Wildlife Refuge. This bill was introduced by Congressman JIM MCCREY on November 17, 1995. It will increase the amount that is authorized to be appropriated, for the acquisition of land, in the Tensas River National Wildlife Refuge in Talulah, LA.

The Tensas River National Wildlife Refuge was established on June 28, 1980, by Public Law 96-285 to preserve the largest remaining privately owned bottom land and hardwood tract in the Lower Mississippi River Delta. The act has authorized \$20 million for land acquisition, through the Department of the Interior's Land and Water Conservation Fund.

The diverse habitat at the Tensas River Refuge supports a tremendous variety of wildlife, including the largest white-tailed deer herd in Louisiana, bald eagles, numerous species of small mammals and birds, and the Louisiana black bear. The Tensas River population is one of only two known populations of this subspecies in existence.

The wetlands, lakes, and bayous in the refuge provide habitat for an equally diverse variety of aquatic life including fish, reptiles, amphibians, crustaceans, and the American alligator. This aquatic habitat is particularly important because the Tensas River is the only major waterway in the Louisiana delta that has not been extensively altered by channelization.

To date, Congress has appropriated \$20 million for land acquisition at the refuge, but additional funds may be necessary to complete the acquisition process. H.R. 2660 authorizes an additional \$20 million for land acquisition, subject of course to appropriations.

The bill will allow the Fish and Wildlife Service to acquire the remaining critical lands necessary to complete the Tensas River National Wildlife Refuge.

At present, the National Wildlife Refuge System is comprised of 508 refuges, which are located in all 50 States and 5 U.S. territories. These units range in size from a single acre refuge in Minnesota, to the 19.3 million-acre Arctic National Wildlife Refuge in Alaska. In the last decade, 81 refuges and approximately 3.6 million acres have been added to the System.

The Tensas River Refuge is an important component in this nationwide system, and I urge an "aye" vote on this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. STUDDS. Mr. Speaker, this is a good bill and, I hesitate to add, costs a little bit more than the Boston Harbor Island so I can assume we are going to get enormous support when the time comes. It is an excellent bill, and I urge Members to support it.

Mr. Speaker, I reserve the balance of my time.

Mr. JONES. Mr. Speaker, I yield 5 minutes to the gentleman from Louisiana [Mr. MCCREY].

Mr. MCCREY. Mr. Speaker, I thank the gentleman from North Carolina [Mr. JONES] for yielding me this time. I do not intend to use all of it. Mr. JONES eloquently stated the reasons for introduction of the bill and reasons for Members to vote for it today.

Mr. Speaker, I want to thank Chairman SAXTON and the ranking member, Mr. STUDDS, from the Subcommittee on Fisheries, Wildlife and Oceans for their willingness to support this bill and for their work in bringing it to the floor today.

The Tensas River National Wildlife Refuge is a case study in responsible environmental policy. Created in 1980, the refuge now includes some 64,000 acres in Madison and Tensas parishes in northeastern Louisiana and represents a commitment to preserving the largest single tract of bottomland hardwoods remaining in the Mississippi River Delta. Widely supported in the community, the refuge has been constituted entirely from land acquired through donations or by purchases from willing sellers.

The bottomland forests in the refuge provide habitat for a diverse array of greenery. In addition, over 400 animal species make their home in the Tensas Refuge. Among endangered species, the bald eagle and the peregrine falcon make occasional appearances. Of particular note, the Tensas Refuge is the home of the largest remaining population of the Louisiana Black Bear.

H.R. 2660 would increase the authorization for the Tensas Refuge from \$10 million to \$20 million. These additional funds are needed to purchase



inholdings and corridor easements. Again, all this will be accomplished with the full cooperation and support of the surrounding community. My constituents who live and work near the refuge fully understand the need to maintain this haven of natural beauty.

Completion of land purchase for the Tensas River National Wildlife Refuge will preserve a unique slice of southern habitat for enjoyment by countless future generations. Once again, I thank the members of the Resources Committee for their swift action in bringing this bill before the full House and strongly urge all Members to support its passage.

Mr. STUDDS. Mr. Speaker, to my utter astonishment, I have a request for time.

Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut [Mr. GEJDENSON].

Mr. GEJDENSON. Mr. Speaker, I am pleased to be here with the majority today in support of this legislation. It is a noncontroversial bill. It does the right thing in extending this area. But as we are handing out fig leaves today, this is clearly a case where fig leaves are deserved to both previous speakers on the other side.

On the key votes before the Congress and particularly for the one that authorized this particular program, roll-call 502, both individuals voted against the general proposition. It is as if to say today that if Jesse James had in one instance deposited funds in a bank, it would absolve him of being referred to as a bank robber.

We have had a year and a half of a general assault on the environment, that the basic legislation that establishes these programs was resisted and opposed, that if you went down each one of these bills, on the Republican side, 99 percent voted to open the Arctic National Wildlife Refuge to oil drilling; 99 percent voted to keep destructive riders in the fiscal year 1996 Interior appropriations bill; 86 percent of the Republicans voted against an amendment to the fiscal year 1996 Interior appropriations act which would restore land and water conservation funds vitally important to the refuge system; 82 percent voted to keep the salvage rider in the rescission bills.

It seems to me that while this is a good thing we are doing here today, we welcome the last two speakers on the other side, that they do deserve the fig leaf here because you cannot just come to the floor when it is one instance in your district or in your party and claim that you are taking some kind of environmental action. The assault on the environment over the last year and a half has been so extreme, it has frightened people that are not simply environmental activists but average citizens who have some concern about the state of this country and the state of our natural resources.

□ 1700

Mr. Speaker, again I would commend the gentleman for what they do today, but I would hope that we would not see them in every instance oppose the major pieces of legislation. Give this opportunity to the entire country and not just to one place and one district.

Mr. STUDDS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SAXTON. Mr. Speaker, I rise in strong support of H.R. 2660, the Tensas River National Wildlife Refuge Act, introduced by Representative JIM MCCREY.

H.R. 2660 would increase the authorization level for the Tensas River National Wildlife Refuge from \$10 million to \$20 million, and would make those funds available as of October 1 last year. This increase is necessary to cover the costs of buying critical habitat for the threatened Louisiana black bear. It is imperative that this legislation move forward, so the management plan for the threatened black bear can continue to be implemented.

We in Congress have been discussing prevention in the context of the Endangered Species Act. Here is a case where public input has resulted in the prevention of endangerment. This legislation deserves all our support.

Mr. YOUNG of Alaska. Mr. Speaker, H.R. 2660 has been introduced by our distinguished colleague from Louisiana, JIM MCCREY. This is a noncontroversial bill that simply increases the amount of the authorization level for the Tensas River National Wildlife Refuge.

It is my understanding that there is interest in expanding the boundaries of this refuge, but these efforts are constrained by the provisions of Public Law 96-285 that legislatively created the refuge.

H.R. 2660 will increase from \$10 million to \$20 million the amount of funds that may be appropriated to the Department of the Interior, and it makes those funds available as of October 1 last year. These modifications are necessary because the cost of acquiring certain lands for inclusion in the Refuge were more expensive than anticipated.

Finally, the Tensas River National Wildlife Refuge had been deemed critical habitat for the threatened Louisiana black bear and the river is the only major waterway in the Louisiana delta that has not been extensively altered by channelization.

Congressman JIM MCCREY has made a persuasive case, and I compliment him for his outstanding leadership on this legislation. I urge an "aye" vote on H.R. 2660.

Mr. JONES. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. UPTON). The question is on the motion offered by the gentleman from North Carolina [Mr. JONES] that the House suspend the rules and pass the bill, H.R. 2660, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. JONES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2660, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

## NORTH PLATTE NATIONAL WILDLIFE REFUGE BOUNDARY REVISION

Mr. METCALF. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2679) to revise the boundary of the North Platte National Wildlife Refuge.

The Clerk read as follows:

H.R. 2679

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. REVISION OF BOUNDARY OF NORTH PLATTE NATIONAL WILDLIFE REFUGE.

(a) TERMINATION OF JURISDICTION.—The secondary jurisdiction of the United States Fish and Wildlife Service over approximately 2,470 acres of land at the North Platte National Wildlife Refuge in the State of Nebraska, as depicted upon a map entitled "Relinquishment of North Platte National Wildlife Refuge Secondary Jurisdiction", dated August 1995, and available for inspection at appropriate offices of the United States Fish and Wildlife Service, is hereby terminated.

(b) REVOCATION OF EXECUTIVE ORDER.—Executive Order Number 2446, dated August 21, 1916, is hereby revoked with respect to the lands referred to in section 1.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington [Mr. METCALF] and the gentleman from Massachusetts [Mr. STUDDS] will each be recognized for 20 minutes.

The Chair recognizes the gentleman from Washington [Mr. METCALF].

Mr. METCALF. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2679, introduced by the gentleman from Nebraska [Mr. BARRETT] will remove about 2,470 acres of land from the North Platte National Wildlife Refuge.

This legislation is a direct result of a report issued by the U.S. Fish and Wildlife Service that recommended that these lands be divested from the refuge because they provide nothing significant toward the refuge or the national refuge systems' purposes and goals.

While these lands may have limited value within the refuge unit, they offer recreational opportunities to thousands of citizens who enjoy boating, fishing, sightseeing and swimming in Nebraska. Under the terms of this legislation, which is strongly supported by the Department of the Interior, these lands would be removed from the

refuge, and they will be managed by the Nebraska Game and Parks Commission through a lease from the Bureau of Reclamation.

While title to these lands would remain with the Federal Government, this measure is beneficial to the refuge system and the thousands of Americans who will enjoy utilizing Lake Minatare in the future.

I urge an "aye" vote on H.R. 2679, and I compliment the gentleman from Nebraska [Mr. BARRETT] for his leadership in behalf of his constituents and this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. STUDDS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this has been an exhilarating half hour, and we are for this one, too.

Mr. Speaker, I reserve the balance of my time.

Mr. METCALF. Mr. Speaker, I yield 3 minutes to the gentleman from Nebraska [Mr. BARRETT], the sponsor of the bill.

Mr. BARRETT of Nebraska. Mr. Speaker, I thank the gentleman for yielding this time to me. Mr. Speaker, I rise today in support of H.R. 2679, and I would like to thank the subcommittee chairman, the gentleman from New Jersey [Mr. SAXTON], and the ranking member of the subcommittee, the gentleman from Massachusetts [Mr. STUDDS], and the chairman of the full committee, the gentleman from Alaska [Mr. YOUNG], for their support and for their work on this particular measure.

The House is debating this week several pieces of legislation relating to the environment and divestiture of 2,470 acres of land from the North Platte National Wildlife Refuge, which is just outside of Scottsbluff, NE, which would enhance the effectiveness of the national wildlife refuge system.

H.R. 2679 was developed with the support of the community local leaders and the U.S. Fish and Wildlife Service, and it is a very good example, Mr. Speaker, of cooperation between Federal, State, and local individuals.

The Lake Minatare refuge was established in the early part of the century as a preserve and breeding ground for water fowl which were native to that particular area. The refuge is also a part of a Bureau of Reclamation irrigation project. The Fish and Wildlife Service managed the wildlife aspect of the project, while the bureau managed the other aspects of the land, like recreation and cabins and so forth. And following a 1990 directive that the Fish and Wildlife Service bring all of the areas under its jurisdiction into compliance local, residents realized that this would essentially prohibit recreational and residential use of Lake Minatare, and this was absolutely and totally unacceptable.

The testimony before the fisheries subcommittee fully illustrated, I

think, that Lake Minatare is an essential part of this Scottsbluff area community, and because of the significant local interest and the complex management nature of the refuge, the Fish and Wildlife Service did an environmental assessment. It determined that the best course of action would be to terminate the service's authority over certain portions of the land, as some areas were no longer effective as a wildlife refuge.

I am pleased to report, Mr. Speaker, to the House the broad support of the Fish and Wildlife Service.

My Scottsbluff district office, incidentally, reported we have over 5,000 different letters in support of this particular transfer.

The local citizens, the Fish and Wildlife Service, and I have had a great amount of success in working together on this project. It is a unique win-win situation, and it sets an example for Congress as we strive to effectively manage our Nation's natural resources.

I urge my colleagues to support H.R. 2679.

Mr. STUDDS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I do not know where the gentleman from Alaska is, but we could use a little color here. But I do not see him. I have nothing further to say. One would never know the government is coming to an end tomorrow, but apparently it is, and we are having a wonderful afternoon.

We are very strongly for this bill; and I have no requests for time.

Mr. Speaker, I yield back the balance of my time.

Mr. METCALF. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey [Mr. SAXTON].

Mr. SAXTON. Mr. Speaker, I thank the gentleman from Washington for yielding this time to me. I certainly will not use anywhere near 5 minutes.

Mr. Speaker, I would just like to say to the gentleman from Nebraska [Mr. BARRETT], that this is obviously the result of a good deal of consideration by a lot of people, and I am pleased that the gentleman has brought this bill to us, which has obviously moved through the committee and is now here for a vote on the floor.

The Fish and Wildlife Service has found nothing significant, that the North Platte wildlife refuge adds nothing, in their words, significant toward the refuge or the National Refuge System purposes and goals. And it is the position of the Department of the Interior to support the bill as well.

So I congratulate the gentleman on the fine job that he has done in ushering this to the House floor, and I am sure it will pass. Congratulations.

Mr. Speaker, I rise in strong support of H.R. 2679, the North Platte National Wildlife Refuge Act, which was introduced by Representative BILL BARRETT.

H.R. 2679 would remove about 2,470 acres of land from the North Platte National Wildlife

Refuge, which the Fish and Wildlife Service has found to provide "nothing significant towards the Refuge or the National Refuge System purposes and goals."

The title to these lands would remain with the Federal Government, and they would be managed by the Nebraska Game and Parks Commission through a lease with the Bureau of Reclamation.

I think it is important that when the Fish and Wildlife Service recognizes that a refuge is no longer serving the function for which it was founded, it takes steps to remove the land from the Refuge System. This bill is strongly supported by the Department of the Interior, and I urge all Members to support it.

Mr. DON YOUNG of Alaska. Mr. Speaker, H.R. 2679, introduced by our colleague from Nebraska, BILL BARRETT, will remove about 2,470 acres of land from the North Platte National Wildlife Refuge.

This legislation is a direct result of a report issued by the U.S. Fish and Wildlife Service that recommended that these lands be divested from the refuge because they provide "nothing significant toward the refuge or the National Refuge System purposes and goals."

While these lands may have limited value within the refuge unit, they offer recreational opportunities to thousands of our citizens who enjoy boating, fishing, sightseeing, and swimming in Nebraska.

Under the terms of this legislation, which is strongly supported by the Department of the Interior, these lands would be removed from the refuge and they will be managed by the Nebraska Game and Parks Commission through a lease from the Bureau of Reclamation.

While title to these lands would remain with the Federal Government, this measure is beneficial to the Refuge System and the thousands of Americans who will enjoy utilizing Lake Minatare in the future.

I urge an "aye" vote on H.R. 2679 and I compliment BILL BARRETT for his outstanding leadership on behalf of his constituents and this legislation.

Mr. METCALF. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington [Mr. METCALF] that the House suspend the rules and pass the bill, H.R. 2679.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. METCALF. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 2679, the bill just passed.



The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

# **AUTHORIZING USE OF CAPITOL GROUNDS FOR WASHINGTON FOR JESUS 1996 PRAYER RALLY**

Mr. GILCHREST. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 166) authorizing the use of the Capitol Grounds for Washington for Jesus 1996 prayer rally.

The Clerk read as follows:

H. CON. RES. 166

Whereas One Nation Under God, Inc. has sponsored two previous prayer rallies entitled Washington for Jesus in the city of Washington and plans a third such event over a two-day period on April 29 and 30, 1996;

Whereas public assembly for giving thanks and praying for the United States is a tradition in this Nation dating from before the Nation's founding and commemorated each year by a national Thanksgiving holiday; and

Whereas the Washington for Jesus prayer rally provides for the peaceable assembly and public expression of peoples of all faiths to pray and give thanks for the United States: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring),*

## **SECTION. 1. USE OF CAPITOL GROUNDS FOR WASHINGTON FOR JESUS 1996 PRAYER RALLY.**

(a) IN GENERAL.—One Nation Under God, Inc. (in this resolution referred to as the "sponsor") shall be permitted to sponsor a public event (in this resolution referred to as the "event") over a two-day period on April 29 and 30, 1996 (plus one day before and one day after the event to fully accommodate for setup, takedown, and cleanup).

(b) TERMS AND CONDITIONS.—The event shall be free of any admission charge to the public and arranged so as not to interfere with the needs of Congress, subject to conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board. The sponsor shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

(c) STRUCTURES AND EQUIPMENT.—For the purposes of this resolution, the sponsor is authorized to erect upon the Capitol Grounds such stage, sound amplification devices, and related structures and equipment as may be required to conduct the event, subject to approval of the Architect of the Capitol.

(d) ADDITIONAL ARRANGEMENTS.—The Architect of the Capitol and the Capitol Police Board are authorized to make any such additional arrangements as may be necessary to carry out the event consistent with good order, public health, safety, and protection of the Capitol and the Capitol Grounds.

## **SEC. 2. SPONSORSHIP OR ENDORSEMENT.**

Nothing contained in this resolution shall be construed as an endorsement of the sponsor or the event (or any related activities or expressions, religious or otherwise). The sponsor shall not represent either directly or indirectly that this resolution or any activity carried out under this resolution in any way constitutes approval or endorsement by the United States Government, or any of its agencies, of any activity or expression, religious or otherwise, of the sponsor or the event.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland [Mr. GILCHREST] and the gentleman from Minnesota [Mr. OBERSTAR] will each be recognized for 20 minutes.

The Chair recognizes the gentleman from Maryland [Mr. GILCHREST].

Mr. GILCHREST. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of House Concurrent Resolution 166; a resolution to authorize the use of the Capitol Grounds for the 1996 prayer rally.

The first rally took place in 1980 and drew approximately 750,000 people. The second one in 1988 was somewhat smaller at approximately 500,000 people.

Both of these rallies took place on the Mall and were conducted under permits issued by the National Park Service.

The Capitol Police Board has notified the organization that because of the extent of the event, Congressional authorization this time is necessary.

On April 18, 1996, Congressman STOCKMAN introduced House Concurrent Resolution 166 which would authorize the use of Capitol Grounds for the 1996 prayer rally. Pursuant to the resolution the sponsor, would be authorized to sponsor an event on the Capitol Grounds on April 29, and April 30. This would include 1 day before and 1 day after the event for set up, take down, and clean up.

The event would be conducted without any admission charge to the public and would be arranged so as not to interfere with congressional activities. It would be subject to the conditions prescribed by the Architect of the Capitol and the Capitol Police Board.

The resolution would require the sponsor to assume full responsibility for the expenses and liabilities associated with the event. The resolution would also authorize the sponsor to erect stage, and sound amplification devices, and related structures and equipment required to conduct the rally, subject to the approval of the Architect of the Capitol.

The Architect of the Capitol and the Capitol Police Board would be authorized to make any additional arrangements necessary to carry out the event in order to protect order, public health, safety, and property.

Finally, the resolution states that the resolution does not either directly or indirectly, endorse the sponsor or any related activities or expressions, religious or otherwise. Further, the sponsor may not represent that the resolution or any activity carried out under it constitutes endorsement by the U.S. Government or any of its agencies.

Mr. Speaker, I urge adoption of this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. OBERSTAR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I support the concept underlying this resolution, the principle that any group, including religious organizations, should have the same rights to use the Capitol grounds to express their views as other organizations.

I do not have a problem with the basic purpose of the resolution under consideration. But I do have very serious concerns about process, about lack of process, and that is the reason that I objected, or said I would object, to the proposal to bring up this resolution under unanimous consent procedures.

We are facing today what we faced when the proposal was made for unanimous consent procedure as another example of the leadership in this body steamrolling hastily drafted legislation through the House without an opportunity for the legislation to be reviewed either by the committee of jurisdiction or by the House itself. This has been the rule, not the exception. I went back and checked. Of the 16 bills considered under rules this year, 11, or 72 percent, have been brought to the floor without any committee reporting them; 72 percent of bills brought under a rule were brought to the floor without a committee having considered them, and that includes the crime bill, two continuing resolutions, and the constitutional amendment on taxation.

Mr. Speaker, the same pattern of bypassing the normal legislative process is evident in unanimous consent requests. According to the House Information Resources, which I asked to review this matter, of the 25 measures brought to the House under unanimous consent during this Congress, 21, 84 percent, were not reported by the committee of jurisdiction. In fact, 16 of the 21 had no committee action at all.

Now, this is not, and I am not talking about a matter of committee jurisdiction, I am not talking about a matter of turf. I am talking about a matter that goes to the very essence of a deliberative body. There ought to be free, fair, and open discussion of the matters that come before the House. The committee is the filtering process, the filtering organization where issues of state are aired and discussed and given opportunity for people to ask questions, to find out who is behind the legislation, what its purpose is, who are its sponsors.

We had no advance notice in this committee, the Committee on Transportation and Infrastructure, which has jurisdiction over this matter, about this issue. None of the sponsors of the organization came before our committee, nor to me individually, nor do I know whether they came, nor does it matter whether they came, to see the leadership on the committee. The point is we have had before our committee matters in which other organizations have wanted to use the Capitol grounds for their purposes, had the

Soap Box Derby, we had the Olympic Torch organization.

□ 1715

Mr. Speaker, we have had the stock car people that wanted to have a display on the Capitol grounds. Those were all aired, they were discussed, they were reviewed. We had questions, we raised those questions. Members' concerns were satisfied. That is the way the committee process should work, an opportunity for all of us; not just us but through us, the public, who will be affected by the legislation, to understand what this legislation is, who is behind it and what is behind it.

When we do not have that process, all of us suffer as a result. I have been very much a stickler for process, as members of the Committee on Transportation and Infrastructure know, for 20 years. This is not something new. However, this example of bypassing the committee process is unwarranted, unreasonable, and it is unnecessary. Frankly, I think it is an abuse visited upon the chairman of the subcommittee, a very fair, decent, scholarly, and thoughtful person. He did not have an opportunity to discuss this matter in committee, to exercise his jurisdiction.

Now we find out, Mr. Speaker, just in the last couple of days, that it was known way back in February that this prayer rally would need a resolution of Congress to waive limitations imposed by Capitol Police regulations on use of the Capitol grounds. Why was the resolution not introduced at that time? I am not asking the gentleman, I am just raising the question. Why was the resolution not introduced then? If it had been, the leadership knew this was a problem. We could have followed the proper process of review, consideration, discussion, air the matter.

Mr. Speaker, who is behind this? Who are the groups? Who are the religious organizations? Who are they that want to use these grounds, and for what purpose? We should have been informed right from the beginning, when there would have been time to ask questions and inform our Members, inform the public. Instead, nothing was done until a week before the event, and then late last week, a proposal to bring this resolution up by unanimous consent, and we had no knowledge of who is behind it and what it is all about.

Mr. Speaker, I respect every person's right to pray in the way that they wish to pray, and I respect wanting to use a public event for that purpose. It is not my way, it is some other people's way, but that is fine, and I respect it.

However, Mr. Speaker, I want to ask the chairman of the subcommittee: Will the rally be allowed to construct different structures than are permitted by the regulations?

Mr. GILCREST. Mr. Speaker, will the gentleman yield?

Mr. OBERSTAR. I yield to the gentleman from Maryland.

Mr. GILCREST. Mr. Speaker, I respect the concerns of the gentleman from Minnesota [Mr. OBERSTAR] about the process, and I will try to address some of those concerns. To specifically answer his question, the rally will not be able to construct any structure that is not permitted under the regulations.

Mr. OBERSTAR. Mr. Speaker, I would ask the gentleman: Will the rally or its members or its participants be permitted to sell goods on the Capitol grounds?

Mr. GILCREST. Mr. Speaker, I would say to the gentleman, no goods will be able to be sold whatsoever on the Capitol grounds.

Mr. OBERSTAR. Will fundraising for the organizations involved be permitted?

Mr. GILCREST. There will be no fundraising activities involved under this permit.

Mr. OBERSTAR. I thank the gentleman, Mr. Speaker.

Will the rally be permitted to claim that in any way Congress endorses the sponsoring organization or endorses the rally or its purposes?

Mr. GILCREST. No. Mr. Speaker, as I said in my opening remarks, the rally will not be able to claim endorsement by the Congress for any of their activities.

Mr. OBERSTAR. Mr. Speaker, I thank the gentleman for his responses. Those are reassuring and very helpful.

Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio [Mr. TRAFICANT], the ranking member of the Subcommittee on Public Buildings and Economic Development of the Committee on Transportation and Infrastructure.

Mr. TRAFICANT. Mr. Speaker, I have many of the same concerns that I guess have been voiced by the gentleman from Minnesota [Mr. OBERSTAR]. I have complete confidence in the gentleman from Maryland [Mr. GILCREST]. I am sure many of these issues he has made decisions that are appropriate.

Mr. Speaker, the only thing I would like to say is that, even though it is not a major event, there is a process that is involved. Once we start to deviate from that process, there could be things that could develop that may at some point come back to maybe embarrass the Congress. So I am not going to stand in apposition, and I have complete confidence that the gentleman from Maryland has probably reviewed this well, and I can at this particular point accept this.

In the future, however, Mr. Speaker, I think the words of caution from the gentleman from Minnesota should be well taken, not just on this committee but on every committee. Once we start, no matter how we look at any particular issue, some certainly much more serious in nature and presenting more of a problem to the Congress than oth-

ers, nevertheless, there sometimes could be things developed that set a precedent, and then people begin to talk about being treated differently.

I am from the old school, and I think all people should be treated alike. That is one of the reasons why Vince Lombardi was loved so much. He treated everybody alike. Willie Davis said, "He treated us all alike; like dogs, but all alike." I think the Congress must do that and ensure that we do that. We have a process. I think we should adhere to that process.

Mr. Speaker, I have no opposition, I would say to the chairman of the subcommittee. I would like to echo, though, and associate myself with the remarks of the gentleman from Minnesota. I think it was wise counsel. I hope in the future we could adhere to that counsel. I think it makes a lot of sense.

Mr. GILCREST. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to address the issue that the gentleman from Ohio [Mr. TRAFICANT] and the gentleman from Minnesota [Mr. OBERSTAR] raised. I would like to extend my concurrence with the gentleman's sense of concern about the process not being followed.

I would also like to extend an invitation to work with both of the gentlemen, starting right now, that the process for these kinds of resolutions not be superseded, so that we get the information in a timely fashion and the committee process can fully review some of these reservations and some of these activities.

Mr. Speaker, this particular activity was brought to our attention very recently. This particular activity, this prayer rally, is going to happen, I believe, next Monday. So as a result of that, we have been asked to expedite this process. When we were asked to do that, we looked into a number of other activities that were very similar to this activity over the years.

There have been numerous prayer rallies on the Capitol Grounds very similar to this particular activity that is occurring next Monday. The only difference is that this activity will go beyond 24 hours. As a result of that extension of time, it is necessary for the permit to go through the Congress, as opposed to the permit just going through the Capitol Police.

In the future, however, Mr. Speaker, whenever an extension of time like this is necessary, I would like to work with the gentlemen, the gentleman from Ohio [Mr. TRAFICANT] and the gentleman from Minnesota [Mr. OBERSTAR], to make sure the process is not superseded, that we go through the committee process, and all of the concerns the Members have raised here today would be fully aired in this process.

Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. STOCKMAN].



Mr. STOCKMAN. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I just want to point out to the gentleman that from what I understand, the Capitol Police knew about the rally for 2 years, and the organizers were not notified until February. They got ahold of us soon thereafter. We were working on the legislation, so we expedited it as quickly as we were notified by the Capitol Police. But from our understanding, the Capitol Police knew about it for 2 years and they did not tell them they had this requirement until February.

I agree with what some of what the Members said, in that we would try to obey the process. We will ask also, too, for the record, that the Capitol Police set out policies in advance that are known to the organizers.

Mr. GILCHREST. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I hope the rally is conducted in a way that will make all of us proud.

Mr. Speaker, I reserve the balance of my time.

Mr. OBERSTAR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I appreciate the remarks of the gentleman from Texas [Mr. STOCKMAN]. I would simply observe that if it was known in February, in our committee we work on a very bipartisan, cooperative basis. Had our side known about this, and had the gentleman from Maryland [Mr. GILCHREST] been fully informed about it at the time, we could have long ago resolved this matter in an appropriate, proper fashion.

I say this out of deep respect for the gentleman from Maryland, who is scholarly and thoughtful, professorial, deliberative in all his works, and for our full committee chair, the gentleman from Pennsylvania [Mr. SHUSTER] who has endeavored mightily to be open and fair and inclusive in the spirit of our committee over all of its years. It is painful to see something like this happen, in derogation of the committee process.

Again, to repeat, committees are supposed to be the filtering mechanism in this body, to provide information through us to the public, so people know and openly have an understanding of what we are about to do and what legislation we are about to enact, what access we are about to provide for this very precious Capitol Grounds.

I am glad that we have had this discussion. It would have been better to have had it in committee. We could have brought the bill to the floor, I think, knowing what we know now, under that unanimous consent procedure that was proposed, but I appreciate the gentleman from Maryland's willingness to make the effort in the future. I think the leadership of the

House needs to operate in the same way.

In closing, I wish the sponsors of the rally a prayerful success.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. GILCHREST. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. UPTON). The question is on the motion offered by the gentleman from Maryland [Mr. GILCHREST] that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 166.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. GILCHREST. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Con. Res. 166, the concurrent resolution just agreed to.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 5 of rule I, the Chair will now put the question on each motion to suspend the rules on which further proceeding were postponed earlier today in the order in which that motion was entertained.

Votes will be taken in the following order: H.R. 1965, de novo; H.R. 2160, de novo; and H.R. 1772, de novo.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

#### COASTAL ZONE PROTECTION ACT OF 1996

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 1965, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey [Mr. SAXTON] that the House suspend the rules and pass the bill, H.R. 1965, as amended.

The question was taken.

Mr. LONGLEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 5 of rule I, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on the additional motions to suspend the rules on which the Chair had postponed further proceedings.

The vote was taken by electronic device, and there were—yeas 407, nays 0, not voting 25, as follows:

[Roll No. 127]

YEAS—407

Abercrombie	Cox	Gutknecht
Ackerman	Cramer	Hall (OH)
Andrews	Crane	Hall (TX)
Archer	Crapo	Hamilton
Armey	Cremins	Hancock
Bachus	Cubin	Hansen
Baessler	Cunningham	Harman
Baker (CA)	Danner	Hastert
Baker (LA)	Davis	Hastings (FL)
Baldacci	Deal	Hayes
Ballenger	DeFazio	Hayworth
Barcia	DeLauro	Hefley
Barrett (NE)	DeLay	Hefner
Barrett (WI)	Dellums	Heineman
Bartlett	Deutsch	Herger
Barton	Diaz-Balart	Hilleary
Bass	Dickey	Hilliard
Bateman	Dicks	Hinchee
Becerra	Dingell	Hobson
Beilenson	Dixon	Hoekstra
Bentsen	Doggett	Hoke
Bereuter	Dooley	Holden
Berman	Doolittle	Horn
Bevill	Dornan	Hostettler
Bilbray	Dreier	Houghton
Bilirakis	Duncan	Hoyer
Bishop	Dunn	Hunter
Bliley	Durbin	Hyde
Blute	Edwards	Istook
Boehlert	Ehlers	Jackson (IL)
Boehner	Ehrlich	Jackson-Lee
Bonilla	Emerson	(TX)
Bonior	Engel	Jacobs
Bono	Ensign	Johnson (CT)
Borski	Eshoo	Johnson (SD)
Boucher	Evans	Johnson, E. B.
Brewster	Everett	Johnson, Sam
Browder	Ewing	Johnston
Brown (CA)	Farr	Jones
Brown (FL)	Fawell	Kanjorski
Brown (OH)	Fazio	Kaptur
Brownback	Fields (LA)	Kasich
Bryant (TN)	Fields (TX)	Kelly
Bunn	Filner	Kennedy (MA)
Bunning	Flanagan	Kennedy (RI)
Burr	Foley	Kennelly
Burton	Forbes	Kildee
Buyer	Fowler	Kim
Callahan	Fox	King
Calvert	Frank (MA)	Kingston
Camp	Franks (CT)	Kiecicka
Campbell	Franks (NJ)	Klink
Canady	Frelinghuysen	Klug
Cardin	Frisa	Knollenberg
Castle	Frost	Kolbe
Chabot	Funderburk	LaFalce
Chambliss	Furse	LaHood
Chapman	Galleghy	Lantos
Chenoweth	Ganske	Largent
Christensen	Gejdenson	Latham
Chrysler	Gekas	LaTourette
Clay	Gephardt	Laughlin
Clayton	Geren	Lazio
Clement	Gibbons	Leach
Clinger	Gilchrest	Levin
Clyburn	Gillmor	Lewis (CA)
Coble	Gilman	Lewis (GA)
Coburn	Gonzalez	Lewis (KY)
Coleman	Goodlatte	Lightfoot
Collins (GA)	Gordon	Lincoln
Collins (MI)	Goss	Linder
Combest	Graham	Lipinski
Condit	Green (TX)	Livingston
Conyers	Greene (UT)	LoBiondo
Cooley	Gunderson	Lofgren
Costello	Gutierrez	Longley

Lowey	Paxon	Smith (WA)
Lucas	Payne (NJ)	Solomon
Luther	Payne (VA)	Souder
Maloney	Pelosi	Spence
Manton	Peterson (FL)	Spratt
Manzullo	Peterson (MN)	Stark
Markey	Petri	Stearns
Martinez	Pickett	Stenholm
Martini	Pombo	Stockman
Mascara	Pomeroy	Stokes
Matsui	Porter	Studds
McCarthy	Portman	Stump
McCollum	Poshard	Stupak
McCrery	Pryce	Talent
McDermott	Quillen	Tanner
McHale	Quinn	Tate
McHugh	Radanovich	Tauzin
McInnis	Rahall	Taylor (MS)
McIntosh	Ramstad	Taylor (NC)
McKeon	Rangel	Tejeda
McKinney	Reed	Thomas
McNulty	Regula	Thornberry
Meehan	Richardson	Thornton
Meek	Riggs	Thurman
Metcalf	Rivers	Tiahrt
Meyers	Roberts	Torkildsen
Mica	Roemer	Torres
Millender-	Rogers	Towns
McDonald	Rohrabacher	Trafficant
Miller (CA)	Ros-Lehtinen	Upton
Miller (FL)	Rose	Velazquez
Minge	Roth	Vento
Mink	Roukema	Visclosky
Moakley	Roybal-Allard	Volkmer
Molinari	Royce	Vucanovich
Mollohan	Sabo	Walker
Montgomery	Salmon	Walsh
Moorhead	Sanders	Wamp
Moran	Sanford	Ward
Morella	Sawyer	Waters
Murtha	Saxton	Watt (NC)
Myers	Scarborough	Watts (OK)
Myrick	Schaefer	Waxman
Nadler	Schiff	Weldon (FL)
Neal	Schroeder	Weldon (PA)
Nethercutt	Shumer	Weller
Neumann	Scott	White
Ney	Seastrand	Whitfield
Norwood	Sensenbrenner	Wicker
Nussle	Serrano	Williams
Oberstar	Shadegg	Wise
Obey	Shaw	Wolf
Oliver	Shays	Woolsey
Ortiz	Sisisky	Wynn
Orton	Skaggs	Yates
Owens	Skeen	Young (AK)
Oxley	Skelton	Young (FL)
Packard	Slaughter	Zeliff
Pallone	Smith (MI)	Zimmer
Parker	Smith (NJ)	
Pastor	Smith (TX)	

## NOT VOTING—25

Allard	Flake	McDade
Barr	Foglietta	Menendez
Bryant (TX)	Ford	Rush
Collins (IL)	Goodling	Shuster
Coyne	Greenwood	Thompson
de la Garza	Hastings (WA)	Torricelli
Doyle	Hutchinson	Wilson
English	Inglis	
Fattah	Jefferson	

□ 1744

Mr. PACKARD and Mr. SMITH of Texas changed their vote from "nay" to "yea."

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. ENGLISH of Pennsylvania. Mr. Speaker, I was unavoidably delayed from voting on two bills under suspension on Tuesday, April 23, since the Pennsylvania primary election required my voting in the 21st district of Pennsylvania that same morning. Had I been

present, I would have voted "yes" on H.R. 2024, and "yes" on H.R. 1965.

## COOPERATIVE FISHERIES MANAGEMENT ACT OF 1996

The SPEAKER pro tempore (Mr. UPTON). The pending business is the question of suspending the rules and passing the bill, H.R. 2160, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts [Mr. TORKILDSEN] that the House suspend the rules and pass the bill, H.R. 2160, as amended.

The question was taken.

## RECORDED VOTE

Mr. LONGLEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which this vote will be taken.

The vote was taken by electronic device, and there were—ayes 406, noes 0, not voting 26, as follows:

[Roll No. 128]

AYES—406

Abercrombie	Castle	Engel
Ackerman	Chabot	English
Andrews	Chambliss	Ensign
Archer	Chapman	Eshoo
Armey	Chenoweth	Evans
Bachus	Christensen	Everett
Baesler	Chrysler	Ewing
Baker (CA)	Clay	Farr
Baker (LA)	Clayton	Fawell
Baldacci	Clement	Fazio
Ballenger	Clinger	Fields (LA)
Barcia	Clyburn	Fields (TX)
Barr	Coble	Filner
Barrett (NE)	Coburn	Flanagan
Barrett (WI)	Coleman	Forbes
Bartlett	Collins (GA)	Fowler
Barton	Collins (MI)	Fox
Bass	Combest	Frank (MA)
Bateman	Condit	Franks (CT)
Becerra	Conyers	Franks (NJ)
Beilenson	Cooley	Frelinghuysen
Bentsen	Costello	Frisa
Bereuter	Cox	Frost
Berman	Cramer	Funderburk
Bevill	Crane	Furse
Bilbray	Crapo	Galleghy
Bilirakis	Creameans	Ganske
Bishop	Cubin	Gejdenson
Billey	Cunningham	Gekas
Blute	Danner	Gephardt
Boehliert	Davis	Geren
Boehner	Deal	Gibbons
Bonilla	DeFazio	Gilchrest
Bonior	DeLauro	Gillmor
Bono	DeLay	Gilman
Borski	Dellums	Gonzalez
Boucher	Deutsch	Goodlatte
Brewster	Diaz-Balart	Gordon
Browder	Dickey	Goss
Brown (CA)	Dicks	Graham
Brown (FL)	Dingell	Green (TX)
Brown (OH)	Dixon	Greene (UT)
Brownback	Doggett	Gunderson
Bryant (TN)	Dooley	Gutierrez
Bunn	Doolittle	Gutknecht
Bunning	Dornan	Hall (OH)
Burr	Dreier	Hall (TX)
Burton	Duncan	Hamilton
Callahan	Dunn	Hancock
Calvert	Durbin	Hansen
Camp	Edwards	Harman
Campbell	Ehlers	Hastert
Canady	Ehrlich	Hastings (FL)
Cardin	Emerson	Hastings (WA)

Hayes	McHale	Salmon
Hayworth	McHugh	Sanders
Hefley	McInnis	Sanford
Hefner	McIntosh	Sawyer
Heineman	McKeon	Saxton
Herger	McKinney	Scarborough
Hilleary	McNulty	Schaffer
Hilliard	Meehan	Schiff
Hinchey	Meek	Schroeder
Hobson	Metcalf	Schumer
Hoekstra	Meyers	Scott
Hoke	Mica	Seastrand
Holden	Millender-	Sensenbrenner
Horn	McDonald	Serrano
Hostettler	Miller (CA)	Shadegg
Houghton	Miller (FL)	Shaw
Hoyer	Minge	Shays
Hunter	Mink	Sisisky
Hyde	Moakley	Skaggs
Istook	Molinari	Skeen
Jackson (IL)	Mollohan	Skelton
Jackson-Lee	Montgomery	Slaughter
(TX)	Moorhead	Smith (NJ)
Jacobs	Moran	Smith (TX)
Johnson (CT)	Morella	Solomon
Johnson (SD)	Murtha	Souder
Johnson, E. B.	Myers	Spence
Johnson, Sam	Myrick	Spratt
Johnston	Nadler	Stark
Jones	Neal	Stearns
Kanjorski	Nethercutt	Stenholm
Kaptur	Neumann	Stockman
Kasich	Ney	Stokes
Kelly	Norwood	Studds
Kennedy (MA)	Nussle	Stump
Kennedy (RI)	Oberstar	Stupak
Kennelly	Obey	Talent
Kildee	Oliver	Tanner
Kim	Ortiz	Tate
King	Orton	Tauzin
Kingston	Owens	Taylor (MS)
Kleccka	Oxley	Taylor (NC)
Klink	Packard	Tejeda
Klug	Pallone	Thomas
Knollenberg	Parker	Thornberry
Kolbe	Pastor	Thornton
LaFalce	Paxon	Thurman
LaHood	Payne (NJ)	Tiahrt
Lantos	Payne (VA)	Torkildsen
Largent	Pelosi	Torres
Latham	Peterson (FL)	Towns
LaTourette	Peterson (MN)	Trafficant
Laughlin	Petri	Upton
Lazio	Pickett	Velazquez
Leach	Pombo	Vento
Levin	Pomeroy	Visclosky
Lewis (CA)	Porter	Volkmer
Lewis (GA)	Portman	Vucanovich
Lewis (KY)	Poshard	Walker
Lightfoot	Pryce	Walsh
Lincoln	Quillen	Wamp
Lipinski	Quinn	Ward
Livingston	Radanovich	Waters
LoBiondo	Rahall	Watt (NC)
Loftgren	Ramstad	Watts (OK)
Longley	Rangel	Waxman
Lowe	Reed	Weldon (FL)
Lucas	Regula	Weldon (PA)
Luther	Richardson	Weller
Maloney	Riggs	White
Manton	Rivers	Whitfield
Manzullo	Roberts	Wicker
Markey	Roemer	Williams
Martinez	Rogers	Wise
Martini	Rohrabacher	Wolf
Mascara	Ros-Lehtinen	Woolsey
Matsui	Rose	Wynn
McCarthy	Roth	Young (AK)
McCollum	Roukema	Young (FL)
McCrery	Roybal-Allard	Zeliff
McDermott	Royce	Zimmer
	Sabo	

## NOT VOTING—26

Allard	Foglietta	Menendez
Bryant (TX)	Foley	Rush
Buyer	Ford	Shuster
Collins (IL)	Goodling	Smith (MI)
Coyne	Greenwood	Smith (WA)
de la Garza	Hutchinson	Thompson
Doyle	Inglis	Torricelli
Fattah	Jefferson	Wilson
Flake	McDade	



□ 1754

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### PERSONAL EXPLANATION

Mr. SMITH of Michigan. Mr. Speaker, on rollcall No. 128, I was outside the Chamber. Had I been present, I would have voted "aye."

#### PERSONAL EXPLANATION

Mrs. SMITH of Washington. Mr. Speaker, I was unavoidably detained and was not able to cast a vote on H.R. 2160. If I would have been present, I would have voted "yes."

This bill contains provisions that make changes to existing law and allows disaster assistance to be continued to be made available in the Pacific Northwest for salmon fishermen. As we know, the salmon industry has been devastated in the Northwest because of a variety of factors. In Pacific and Grays Harbor Counties, this once thriving industry has almost disappeared, causing severe economic dislocation. This disaster assistance made available in this bill will help mitigate the impact of the decline in the salmon industry in Washington State.

Again, I would like to advocate my strong support for the Cooperative Fisheries Management Act. I appreciate the fine work of Chairman SAXTON in bringing this important legislation to the floor.

#### PERSONAL EXPLANATION

Mr. HUTCHINSON. Mr. Speaker, this past weekend a destructive tornado hit northwest Arkansas. As a result of the devastation which was wrought by this natural disaster, I assisted my constituents in the district and consequently missed two rollcall votes.

I would like the record to show that had I been present I would have voted "yea" on rollcall No. 127 and "yea" on rollcall No. 128.

#### WAIHEE MARSH INCLUSION IN OAHU NATIONAL WILDLIFE REFUGE COMPLEX

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 1772, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey [Mr. SAXTON] that the House suspend the rules and pass the bill, H.R. 1772, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2715, PAPERWORK ELIMINATION ACT OF 1996

Mr. GOSS, from the Committee on Rules, submitted a privileged report (Rept. No. 104-532) on the resolution (H.R. 409) providing for consideration of the bill (H.R. 2715) to amend chapter 35 of title 44, United States Code, popularly known as the Paperwork Reduction Act, to minimize the burden of Federal paperwork demands upon small business, educational and nonprofit institutions, Federal contractors, State and local governments, and other persons through the sponsorship and use of alternative information technologies, which was referred to the House Calendar and ordered to be printed.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1675, NATIONAL WILDLIFE REFUGE IMPROVEMENT ACT OF 1995

Mr. GOSS, from the Committee on Rules, submitted a privileged report (Rept. No. 104-533) on the resolution (H. Res. 410) providing for the consideration of the bill (H.R. 1675) to amend the National Wildlife Refuge System Administration Act of 1966 to improve the management of the National Wildlife Refuge System, and for other purposes, which was referred to the House Calendar and ordered to be printed.

□ 1800

#### GENERAL LEAVE

Mr. DICKEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on all legislation passed today.

The SPEAKER pro tempore (Mr. COLLINS of Georgia). Is there objection to the request of the gentleman from Arkansas?

There was no objection.

#### REPORT ON NATIONAL EMERGENCY WITH RESPECT TO NARCOTICS TRAFFICKERS CENTERED IN COLOMBIA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 104-200)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed.

*To the Congress of the United States:*

I hereby report to the Congress on the developments concerning the na-

tional emergency with respect to significant narcotics traffickers centered in Colombia that was declared in Executive Order No. 12978 of October 21, 1995. This report is submitted pursuant to section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act (IEEPA), 50 U.S.C. 1703(c).

1. On October 21, 1995, I signed Executive Order No. 12978, "Blocking Assets and Prohibiting Transactions with Significant Narcotics Traffickers" (the "Order") (60 Fed. Reg. 54579, October 24, 1995). The Order blocks all property subject to U.S. jurisdiction in which there is any interest of four significant foreign narcotics traffickers who are principals in the so-called Cali drug cartel centered in Colombia. They are listed in the annex to the Order. In addition, the Order blocks the property and interests in property of foreign persons determined by the Secretary of the Treasury, in consultation with the Attorney General and the Secretary of State, (a) to play a significant role in international narcotics trafficking centered in Colombia or (b) to materially assist in or provide financial or technological support for, or goods or services in support of, the narcotics trafficking activities of persons designated in or pursuant to the Order. In addition the Order blocks all property and interests in property subject to U.S. jurisdiction of persons determined by the Secretary of the Treasury in consultation with the Attorney General and the Secretary of State, to be owned or controlled by, or to act for or on behalf of, persons designated in or pursuant to the Order (collectively "Specially Designated Narcotics Traffickers" or "SDNTs").

The Order further prohibits any transaction or dealing by a United States person or within the United States in property or interests in property of SDNTs, and any transaction that evades or avoids, has the purpose of evading or avoiding, or attempts to violate, the prohibitions contained in the Order.

Designations of foreign persons blocked pursuant to the Order are effective upon the date of determination by the Director of the Department of the Treasury's Office of Foreign Assets Control (FAC) acting under authority delegated by the Secretary of the Treasury. Public notice of blocking is effective upon the date of filing with the Federal Register, or upon prior actual notice.

2. On October 24, 1995, the Department of the Treasury issued a notice containing 76 additional names of persons determined to meet the criteria set forth in Executive Order No. 12978 (60 Fed. Reg. 54582-84, October 24, 1995). A copy of the notice is attached to this report.

The Department of the Treasury issued another notice adding the names

of one additional entity and three additional individuals, as well as expanded information regarding addresses and pseudonyms, to the List of SDNTs on November 29, 1995 (60 Fed. Reg. 61288-89). A copy of this notice is attached to this report.

3. On March 8, 1996, FAC published a notice in the Federal Register adding the names of 138 additional individuals and 60 entities designated pursuant to the Order, and revising information for 8 individuals on the list of blocked persons contained in the notices published on November 29, 1995, and October 24, 1995 (61 Fed. Reg. 9523-28). A copy of the notice is attached to this report. The FAC, in coordination with the Attorney General and the Secretary of State, is continuing to expand the list of Specially Designated Narcotics Traffickers, including both organizations and individuals, as additional information is developed.

4. On October 22, 1995, FAC disseminated details of this program to the financial, securities, and international trade communities by both electronic and conventional media. This information was updated on November 29, 1995, and again on March 5, 1996. In addition to bulletins to banking institutions via the Federal Reserve System and the Clearing House Inter-bank Payments System (CHIPS), individual notices were provided to all State and Federal regulatory agencies, automated clearing houses, and State and independent banking associations across the country. The FAC contacted all major securities industry associations and regulators, posted electronic notices to 10 computer bulletin boards and 2 fax-on-demand services, and provided the same material to the U.S. Embassy in Bogota for distribution to U.S. companies operating in Colombia.

5. There were no funds specifically appropriated to implement this program. The expenses incurred by the Federal Government in the 6-month period from October 21, 1995, through April 20, 1996, that are directly attributable to the exercise of powers and authorities conferred by the declaration of the national emergency with respect to Significant Narcotics Traffickers are estimated at approximately \$500,000 from previously appropriated funds. Personnel costs were largely centered in the Department of the Treasury (particularly in the Office of Foreign Assets Control, the Office of the General Counsel, and the U.S. Customs Service), the Department of Justice, and the Department of State.

6. Executive Order No. 12978 provides this Administration with a new tool for combating the actions of significant foreign narcotics traffickers centered in Colombia, and the unparalleled violence, corruption, and harm that they cause in the United States and abroad. The Order is designed to deny these traffickers the benefit of any assets

subject to the jurisdiction of the United States and to prevent United States persons from engaging in any commercial dealings with them, their front companies, and their agents. Executive Order No. 12978 demonstrates the U.S. commitment to end the scourge that such traffickers have wrought upon society in the United States and beyond.

The magnitude and the dimension of the problem in Colombia—perhaps the most pivotal country of all in terms of the world's cocaine trade—is extremely grave. I shall continue to exercise the powers at my disposal to apply economic sanctions against significant foreign narcotics traffickers and their violent and corrupting activities as long as these measures are appropriate, and will continue to report periodically to the Congress on significant developments pursuant to 50 U.S.C. 1703(c).

WILLIAM J. CLINTON.

THE WHITE HOUSE, April 23, 1996.

#### SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

#### CLOSING A PROFITABLE PLANT MAY LEAD TO A CHANGE IN THE RULES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts [Mr. FRANK] is recognized for 5 minutes.

Mr. FRANK of Massachusetts. Mr. Speaker, this is a speech I was hoping I would not have to give. It is a speech I may have to repeat at greater length, and I hope I will not have to do that.

In the City of New Bedford, which I represent, there is a plant, the J.C. Rhodes Co., which has been for a very long time a successful manufacturing plant, manufacturing metal fasteners, manufacturing some basic devices, and they have been profitable. We have heard a lot about American industry not being able to compete. Well, we have a plant here with an excellent dedicated work force. This plant has been around 100 years, and it is successful and profitable.

Recently the plant was bought, not by another primary metal producer, but by a financial organization. This financial organization then decided that it would shut down this profitable plant because they could make more money by shutting the plant down and consolidating the production at a plant in a different part of the country. They did not argue that it was a problem of lack of profitability. They did not argue there was no way they could make a go of it in Massachusetts. They did not argue it was because our costs were too high.

Mr. Speaker, it was simply that because of the financial manipulations involved they now found it more profitable to shut down the plant. No one is asking them to lose money.

I have not gotten into detail about the names of individuals; I hope there will not be a need to do that, because I do not want to interfere with negotiations going on now. But it would be a failure on my part not to make clear to all concerned what the stakes are.

The stakes are these. We have a profitable plant in a part of the country where industry has, for a variety of reasons, been diminishing. Heavy industry. This plant is still profitable. It was bought. We have responsible, successful business people, themselves in the manufacturing business, working with the city government and the city of New Bedford, working with the union, the United Electrical Union, working with others, and they are ready to buy the plant at a reasonable price and keep it going. We are being told that we cannot have that, by some, not because this plant is not profitable but because, to be honest, some extremely wealthy people can add incrementally to their great wealth by throwing these people out of work.

That is why this is so important. The question that America has to confront right now is, are we at a point in our economic system, with the rules that have been set forth legally and in every other way, in which the jobs of the 100 people and of families dependent on them count for zero; in which the fact these people have been working very hard for many years profitably for their employer counts for zero; in which the great costs that would be imposed on the city of New Bedford and the surrounding area, the city of Fall River and surrounding areas where these people work, does that count for zero solely so that some people who are already quite wealthy can become a little bit wealthier?

They can increase wealth that will make no difference in their lives except when they chortle over the balance sheets.

I am not asking anyone to take a loss or to keep open a building or a plant that cannot make it. I am saying that, if we are going to be told that the rules are such that this financial conglomerate can come in and simply buy up a plant and shut it down and throw these people out of work and have no concern for the disastrous financial consequences, no concern for the tax losses, no concern for the unemployment compensation that will be paid out, for the mortgage loans that will be defaulted, the student loans that will not be paid back; if the system allows a small number of people to get a little wealthier by causing this degree of financial havoc when the plant can make it on their own and people are willing



to buy it and keep it running at a price that would be a reasonable price, then the rules have to be changed.

Mr. Speaker, I have met with the owners of the plant, along with business people from my district, along with the union and people from the mayor's office working with our Senators, Senators KENNEDY and KERRY. We are trying to persuade the owners to be reasonable, not to take a loss, not to subsidize anybody, but to tell us that the lives of these working people do not count for zero, that a marginal increment in their great wealth is not going to be the only factor. If in the end their answer is that nothing else counts in the balance, that nothing but their ability to maximize their already high profits will count, that all of the serious real economic costs that will be imposed on working people and on the city and on the State of Massachusetts, that those will count for nothing, then they are helping to convince me we have to change the rules.

□ 1815

I want the free market system to work. I do not want to interfere with it. But I cannot as a Representative sit idly by and allow the system to go forward if the consequence is that extraordinarily decent hard-working people are penalized and victimized solely for the financial gain of a small number of people with no real economic improvement for society. I hope I will not have to again be at this microphone on this subject.

#### EDUCATION

The SPEAKER pro tempore (Mr. COLLINS of Georgia). Under a previous order of the House, the gentleman from Florida [Mr. MICA] is recognized for 5 minutes.

Mr. MICA. Mr. Speaker, I come to the floor this evening to address my colleagues in the House on the subject of education. Everywhere you turn, in fact I just read this recent article in U.S. News and World Report, there is criticism about United States education. This U.S. News and World Report article and cover story is entitled Dumb and Dumber. It talks about the failure of the United States education.

Part of the debate here before Congress has been the question of how much money we throw at different programs. One of the questions I have always raised is, are we paying more and getting less?

One of the criticisms of the new Republican majority is that they were cutting "education." In fact, that really is not the case. If you just took a few minutes, Mr. Speaker, to look at the initial budget that we proposed for the House of Representatives and spending for education over the next 7 years, you will find that we proposed an increase over those 7 years of \$24

billion in additional education spending.

The question, Mr. Speaker, is not just how much money that we throw at these problems, because we have increased the expenditures in almost every educational field over the past decade by tremendous sums of money. Then we get these headlines on our magazines, Dumb and Dumber. We find the results, the SAT scores have dropped, total average of, from 1972, a score of 937 to 902 in 1994. We find our 17-year-olds scored 17 points worse in science than in 1970. We find reading also at proficient levels, the scores have fallen since 1992. In math, U.S. students scored worse in math than all other large countries except for Spain. Thirty percent of college freshmen must take remedial education courses. This is nationwide. And my community college, the president of our local community college said it is up to 70 percent of his entering freshmen need remedial education. So we must look at how we are spending these tremendous sums of dollars and the amounts.

That is part of what this debate is about here, whether it is education or whether it is environment.

Let me give you two more examples. Here is an article, I brought this to the House before but it is absolutely astounding. It talks about job training programs and education programs, job education programs in the state of Florida.

This is just out in the last month, a State study. Florida, in Florida, State, local and Federal expenditures for these training programs were \$1 billion. Listen to this: Most students who entered the program never graduated. In all, 37 percent of 347 training and vocational programs performed poorly according to this report and only 20 percent of those enrolled in high school vocational programs completed that. The report found, and listen to this, of that figure only 19 percent found a full-time job after graduating and then were employed in just above a minimum wage, at a minimum wage level and out of that position in less than six months.

The examples go on and on. Here is another story that was in the Washington Post. Department of Labor spent about \$305,000 for each participant in a job program in Puerto Rico. The problem is, we are paying more and we are getting less. Part of it deals with the Department of Education, which now has 4,786 employees, of which 3,322 are in Washington, D.C., just a few blocks from here.

So part of this argument is paying more, getting less. Part of it is command and control in Washington. Part of it is giving these 3,322 bureaucrats down the street in the Federal Department of Education something to do. They do that. It is time that we brought that to a halt.

#### TRIBUTE IN HONOR OF VICTIMS RIGHTS WEEK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Ms. JACKSON-LEE] is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise this evening to pay a special tribute and certainly with a great deal of remorse to the victims of crime throughout America. We honor this week Victims Rights Week, and we pay tribute to all of the men and women and children in this country whose lives have been cut short by hideous acts of violence.

In particular, I must cite several heinous crimes in my community: the vicious murders of Jennifer Ertman, Elizabeth Pena and Monique Miller of Houston, TX. Jennifer Ertman, 14, and Elizabeth Pena, 16, left a party and were taking a shortcut home near a park on June 24, 1993, when they crossed paths with 6 youths engaged in a drunken gang initiation rite. The two girls were repeatedly raped before being strangled and stomped to death by a mob.

Monique Miller was murdered and sexually abused by a repeat offender.

These teenagers and this very young child will never live out their dreams and live up to the great potential that each of them possessed. Their families will never see them achieve all that they should have. They will never attend a school dance again, go to college, get married or have their own families. Their dreams and the dreams that their parents had for them have been destroyed by senseless violence.

There is growing recognition in this country that most sex offense victims are children and that reporting of these offenses is still low. The FBI law enforcement bulletin reported that only 1 to 10 percent of child molestation cases are ever reported to police, and a National Victim Center survey estimated that 61 percent of rape victims are less than 18 years of age; 29 percent are less than 11 years of age.

A recent United States Department of Justice study of 11 jurisdictions and the District of Columbia reported that 10,000 women under the age of 18 were raped in 1992 in these jurisdictions. At least 3,800 were children under the age of 12.

According to the Bureau of Justice Statistics and the FBI, children under the age of 18 accounted for 11 percent of all murder victims in the United States in 1994. Between 1976 and 1994, an estimated 37,000 children were murdered. And half of all murders in 1994 were committed with a handgun; about 7 in 10 victims age 15 to 17 were killed with a handgun.

Clearly, we must do more to protect our children from violence. This requires more than jailing sex offenders

and violent criminals after they commit crimes, although swift and effective punishment is important. This requires strong prevention and education which will keep our children from becoming victims of violent crime.

Tomorrow the House Committee on the Judiciary, of which I am a member, will mark up H.R. 2137, also known as Megan's Law, in honor of 7-year old Megan Kanka who was raped, strangled and murdered by a twice-convicted pedophile who lived across the street from her. I will be a cosponsor of this legislation.

This bill would amend the 1994 crime bill to require States to release relevant information regarding persons convicted of molesting or kidnapping children and certain other sex crimes, when it is necessary to protect the public. This bill would guarantee the appropriate dissemination of information so that parents, school officials and community groups can responsibly use the information in order to protect their children.

Today I pay tribute to these teenagers, Jennifer and Elizabeth and children like Monique and Megan, and I ask during Victims Rights Week we take time to recognize the victims of violent crime and work together to prevent senseless violence in our communities. Let us stand up against the repeal of the assault weapons ban. Let us recognize that the Brady bill must be reinforced to prevent reckless utilization of handguns. Let us understand that we must stop the siege of our children by pedophiles who recklessly go from State to State and perpetrate their violent acts on our innocent children.

Let us bring back innocence to America again so that men and women and children can be safe in their homes. Let us stand up for the victims of America.

We owe it to Jennifer, Elizabeth, Monique and Megan and all of the others whose lives have been snuffed out as a result of violent crimes. We owe it to the victims of Oklahoma City, and we owe it to ourselves. We owe it to America. Let us stand up against crime and let us stand for victims.

#### THE MINIMUM WAGE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. COX] is recognized for 5 minutes.

Mr. COX of California. Mr. Speaker, I would like to share with my colleagues some words that come from a 67-year-old woman who works at the minimum wage in Santa Ana, CA:

Dear Congressman—she wrote me recently—I strongly advise you not to raise the minimum wage. In my working career, I have had a lot of under, slightly over and straight minimum wage jobs. As a single parent, I managed to raise my son without any handout from the government. Although

raising the minimum wage may should like a great humanitarian idea, it really isn't.

In the past every time minimum wages were raised, the entire national work force, plus welfare recipients, also demanded and received raises. The cost of goods and services rose to meet the higher cost of labor, and you forced me to work a lot of overtime to maintain the same buying power I had before my "generous" raise.

I am now 67 years old and consider myself extremely lucky to have an employer willing to hire elderly people like myself. My employer is a small businessman. Recently because of the economy he was forced to raise his prices and cut his overhead just to stay in business. I took a Small Business Administration class in college, and I know that he has to match my Social Security payments, pay higher State disability and workers compensation. He and others like him will have no alternative but to close their doors and I will be unemployed.

When I lose my job, because my employer can no longer afford to stay in business, what is the government going to do about me, someone who is willing to work? How is the government going to help support me? Who is going to pay for this?

Very truly yours, Joanna B. Menser, Santa Ana, CA.

That is a personal story, but how about the big picture? How about macroeconomics, and how about the views of such institutional stalwarts of the liberal point of view as the New York Times? Some time ago the New York Times ran an editorial on the minimum wage. The headline was, the right minimum wage, zero. By that the New York Times did not mean that people should actually work for nothing. Rather, what they meant is that wages, the cost and the price of labor should be determined in a free market and in fact no one should be held to a so-called minimum wage but, rather, everyone should have the opportunity to make an increasing wage in return for higher skills and higher productivity.

□ 1830

Let me read from that editorial in the New York Times which was titled, "The Right Minimum Wage: \$0.00."

"Anyone working in America," the New York Times says, "surely deserves a better living standard than can be managed on the minimum wage."

I think we can all agree with that.

But there is a virtual consensus among economists that the minimum wage is an idea whose time has passed. Raising the minimum wage by a substantial amount would price poor working people out of the job market, people like Joanna Menser, whose remarks we just heard.

"An increase in the minimum wage," the New York Times wrote in their editorial, "would increase unemployment."

Let me repeat this line from the New York Times editorial: "An increase in the minimum wage would increase unemployment, raise the legal minimum price of labor above the productivity of the least skilled worker, and fewer will be hired."

"If a higher minimum wage means fewer jobs, why does it remain on the agenda of some liberals," the New York Times asked.

"Those at greatest risk from a higher minimum wage would be young poor workers who already face formidable barriers to getting and keeping jobs."

They conclude their editorial in the New York Times as follows:

"The idea of using a minimum wage to overcome poverty is old, honorable, and fundamentally flawed."

This is the New York Times now. This is not Congressman CHRIS COX from California.

"The idea of using a minimum wage to overcome poverty is old, honorable, and fundamentally flawed. It's time to put this hoary debate behind us and find a better way to improve the lives of people who work very hard for very little."

Finally, the New York Times of Friday, April 19, just last Friday, is worth noticing here on the floor in this debate among our colleagues. Three factoids from the New York Times, Friday April 19, 1996, I commend to all of my colleagues:

Number of times in 1993 and 1994, when Democrats controlled Congress, that President Clinton mentioned in public his advocacy of a minimum wage increase: zero. Number of times he has done so in 1995 and 1996, when Republicans have controlled Congress, 47. Number of congressional hearings Democrats held on the minimum wage in 1993 and 1994: zero.

#### NOBEL PRIZE WINNERS AND OTHER ECONOMISTS SUPPORT INCREASE IN MINIMUM WAGE

The SPEAKER pro tempore (Mr. COLLINS of Georgia). Under a previous order of the House, the gentleman from North Carolina [Mrs. CLAYTON] is recognized for 5 minutes.

Mrs. CLAYTON. Mr. Speaker, I am pleased that 20 of our Republican colleagues in the House now support an increase in the minimum wage.

They join 3 recipients of the Nobel Prize in Economics, 7 past presidents of the American Economics Association and more than 100 distinguished economists nationwide who have signed a "Statement of Support for a Minimum Wage Increase."

Clearly, Mr. Speaker, the issue is compelling.

Those economists recognize that profits are soaring, wages for workers are declining, and consumer demand is stagnant.

That is a prescription for economic trouble.

Middle and moderate-income Americans now feel the squeeze between profits and wages as much as the low income and the unemployed.

Almost half of the money in America is in the hands of just 20 percent of the people.



That top 20 percent is made up of families with the highest incomes. The bottom 20 percent has less than 5 percent of the money in their hands.

A modest increase in the minimum wage could help the bottom 20 percent, and, it will not hurt the top 20 percent.

The President has proposed such a modest increase in the minimum wage—an increase of 90 cents, over 2 years.

Such an increase would mean an additional \$1,800 a year for the working poor.

That amount of money makes a big difference in the ability of families to buy food and shelter, to pay for energy to heat their homes, and to be able to clothe, care for and educate their children.

That amount of money makes the difference between families with abundance and families in poverty.

An increase in the minimum wage won't provide abundance, but it can raise working families out of poverty.

As indicated, while the cost of bread, milk, eggs, a place to sleep, heat, clothing to wear, a bus ride and a visit to the doctor has been going up, the income of low, moderate and middle-income people has been going down.

Between 1980 and 1992, income for the top 20 percent increased by 16 percent. During that same period, income for the bottom 20 percent declined by 7 percent.

For the first 10 of those 12 years, between 1980 and 1990, there were no votes to increase the minimum wage.

Without an increase in the minimum wage, those with little money end up with less money. That is because the cost of living continues to rise.

By 1993, families in the top 20 percent had an average income of \$104,616.

In contrast, families in the bottom 20 percent in America had an average income of just \$12,964.

That is an astounding gap of more than \$90,000!

The bottom 20 percent of our citizens can have a full-time employee in the family, working at least 40 hours a week, and still not able to make ends meet.

In fact, the earnings of that family could place them below the poverty line.

Recent studies indicate that job growth in America is lowest where the income gap is widest.

Closing the gap helps create jobs rather than reduce jobs.

Those who argue that an increase in the minimum wage will cause job losses, fail to look at all the facts.

Other recent studies have shown that an increase in the minimum wage tends to cause an increase in jobs, rather than a loss of jobs. What are we waiting for, Mr. Speaker?

The Statement of the Nobel Prize winners, the past presidents of the American Economics Association and the more than 100 economic scholars across America makes the following point: "After adjusting for inflation, the value of the minimum wage is at

its second lowest annual level since 1955."

Let us bring minimum wages into the modern age. Let us support H.R. 940, a bill that will help create a livable wage for millions of workers by permitting a modest increase in the minimum wage.

#### REVISED ALLOCATIONS AND AGGREGATES TO H. CON. RES. 67, CONCURRENT RESOLUTION ON THE BUDGET, FISCAL YEAR 1996

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. KASICH] is recognized for 5 minutes.

Mr. KASICH. Mr. Speaker, pursuant to Public Law 104-121, the Contract With America Advancement Act of 1996, I hereby submit for printing in the CONGRESSIONAL RECORD revised allocations and aggregates to House Concurrent Resolution 67, the Concurrent Resolution on the budget for fiscal year 1996. Section 103(e)(1) of Public Law 104-121 requires that upon enactment "the Chairmen of the Committees on the Budget of the Senate and House of Representatives shall make adjustments \* \* \* (to the Appropriations Committee 602(a) allocations) \* \* \* to reflect \$15,000,000 in additional new budget authority and \$60,000,000 in additional outlays for continuing disability reviews \* \* \*"

The required adjustments are as follows:

#### COMMITTEE ON APPROPRIATIONS

(Dollar in millions)

	Current allocation		Change		Revised allocation	
	BA	O	BA	O	BA	O
General purpose discretionary	\$485,074	\$531,768	+\$15	+\$60	\$485,089	\$531,828
Violent crime reduction trust fund	4,087	2,227			4,087	2,227
Total	489,161	533,995	+15	+60	489,176	534,055

#### AGGREGATE LEVELS

(Dollar in millions)

	Budget resolution (H. Con. Res. 67)	Change	Revised level
Budget authority	\$1,285,500	+\$15	\$1,285,515
Outlays	1,288,100	+\$60	1,288,160

#### REPUBLICANS' SAFE DRINKING WATER ACT MEANS DIRTIER TAP WATER IN GEORGIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Ms. MCKINNEY] is recognized for 5 minutes.

Ms. MCKINNEY. Mr. Speaker, we are also told that some of the slaves actually asked for and fought for a continuation of slavery. That did not make slavery right. America needs a raise.

Now, I came down here to talk about the Republican agenda with respect to the environment. I am not surprised that for his Earth Day stunt Speaker

GINGRICH took young children to the zoo. If Speaker GINGRICH has his way on the Endangered Species Act, about the only place we will be able to find endangered species, or even nonendangered species, will be in the zoo.

Mr. Speaker, constituents have a particular problem, my constituents have a particular problem, with the health effects from chronic exposure to arsenic. In fact, I have constituents who now suffer from arsenical keratosis because of their exposure to arsenic. Yet, if the Republicans have their way, not only the communities of Hyde Park and Virginia subdivisions will be reeling from the effects of chronic exposure to arsenic, we all may be, because their version of the Safe Drinking Water Act means dirtier tap water in Georgia. They voted against an amendment that would have prohibited the introduction of arsenic into the water supply. It is almost unbelievable, but it is true.

With respect to the Safe Drinking Water Act, that would result in dirtier tap water from my State of Georgia. The Republicans' draft legislation of the Safe Drinking Water Act would weaken the laws' basic health standard, delay health standards for highly hazardous contaminants, and reduce the public's right to know about health threats from contaminated drinking water.

In 1993 and 1994, over 150,000 Georgians drank tap water that failed to meet the EPA's basic health standards for bacterial toxic chemicals, fecal matter and other dangerous microbes. The House of Representatives would have cut \$15 million to help cities and towns upgrade drinking water plants.

With respect to the Clean Water Act, lakes, rivers and beaches in Georgia would have been fouled. If the Clean Water Act became law, it would have allowed untreated sewage to be discharged into coastal waters. It would

have made the cleanup of toxic chemicals in the Great Lakes voluntary, it would have redefined most of the Nation's wetlands out of existence, and, of course, it would have gutted the EPA's efforts to control farm runoff, the single largest source of unregulated water pollution today.

In 1993 and 1994, over 140,000 Georgians drank tap water that was contaminated by fecal matter or other bacteria, in part because of sewage discharges into rivers and lakes at 31 locations throughout the State.

In terms of wetlands, the Clean Water Act creates a new definition of wetlands protection for 73 million acres of wetlands, or 71 percent of the remaining wetlands in 48 States. This would leave these lands to be developed with no Federal oversight or restrictions whatsoever. Of the 5.3 million acres of wetlands in Georgia, an estimated 4.7 million acres, 90 percent of the total wetlands remaining in the State, would no longer be considered wetlands under the proposed bill.

With respect to Superfund, the Republicans have introduced legislation that would bail out polluters and severely slow down cleanup of toxic dumps.

The most recent draft of the bill released by House Republicans would abolish all liability for polluters who generated and transported waste prior to 1987. Even giant corporations would get off the hook for all toxic waste they sent off site prior to 1987.

With respect to the toxics released inventory, their proposal would curtail reporting requirements for up to 90 percent of toxic chemical emissions that factories must report to the EPA.

Mr. Speaker, I would just conclude by saying that Kevin Phillips said that this may be the worst Congress in 50 years. The Republicans are well on their way to proving that.

□ 1845

#### WE MUST BALANCE THE BUDGET IN THE FAIREST POSSIBLE WAY FOR EVERY FAMILY IN AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts [Mr. MARKEY] is recognized for 5 minutes.

Mr. MARKEY. Mr. Speaker, we have reached the critical juncture in this Congress, debating whether or not in fact we will deal with the critical issues that face our country, the issues that the families of this country want to see addressed, and whether we will do so in a reasonable and responsible fashion.

The Republican Party has argued that we should balance the Federal budget by the year 2002. The Democratic Party has responded that they, as well, want to balance the Federal budget by the year 2002. We will agree

upon that. We are going to do that as a Congress and as a nation. The issue becomes how do we do it, how can it be done in the fairest possible fashion to every family in our country. How can the sacrifice be distributed that ensures that every family is treated fairly? That is the great debate going on in this Congress.

The Republican Party says that as part of balancing the budget, they must fulfill their commitment to ensure that their crown jewel in the Contract With America is given over to the wealthy, those who are in the upper-income brackets. They must receive huge tax breaks.

Ordinary families say, well, that does not sound too fair. If you look back over the last 20 years, we have not had any increase in the wages, those of us in the bottom 60 percentile or 70 percentile of wages in this country, people making \$20,000 and \$30,000 and \$40,000 a year.

So if there are going to be tax breaks given out, the tax breaks should not be given out to the wealthy. We should get the tax breaks, so we can educate our children in high school and grammar school and in college. That is where the tax breaks should go, not to the wealthy.

And if you are going to cut programs, you cannot cut Medicare part B and make Grandma pay an extra \$400 a year when she only makes \$13,000 a year on average; all of the elderly, senior, retired women, when at the same time you are not going to touch the timber subsidies and the mining subsidies and the grazing subsidies, et cetera, et cetera, that the big business interests get. It has got to be fair.

Grandma or Grandpa, they do not mind sacrificing. God knows, they do not mind sacrificing. They took us through the Depression, they took us through World War II, and they built us into the greatest country in the world in the 1950's and the 1960's, so they do not mind sacrificing. They have sacrificed their whole lives. What they want is fairness. The tax breaks cannot go to the wealthy. The tax breaks have to go to people who can educate their kids. The programs that get cut cannot be for the elderly: Medicare, Medicaid. The programs have to be grazing subsidies and timber subsidies and Star Wars and all the rest of these crazy programs that should not be given Federal subsidies anymore. That is the only fair way of doing it.

The Republicans say, do not worry about it, because if you balance the budget by the year 2000, interest rates are going down 2 points and the oil, the water of prosperity, will flow evenly across all of those in this great country, and we will not have to do anything else for ordinary working people. The reality is that it has not flowed that way for the last 15 years, since Reaganomics began.

We have seen this distortion in terms of who are the beneficiaries of the wealth in our country. The rich are getting richer and the rest are just paying taxes. That is how this system has wound up in this country. Ordinary people are the ones who are afraid that their jobs are not going to produce the income they need for their families.

The fallacy in the Republican argument that interest rates are automatically going down two points—and by the way, the Democrats would wish that that would be the case, too, because we support a balanced budget, just as much as the Republicans do now—is that there is a doctrine. It is called NAIRU. It is called the non-accelerating inflationary rate of unemployment, the non-accelerating inflationary rate of unemployment. That means that the rate of unemployment, once it goes below a certain point, and, for these purposes below about 5.5 percent, about 6 to 8 million Americans unemployed.

Mr. Speaker, I will return at a later date to continue my discourse on this subject.

#### IN HONOR OF MARY BETH BLEGEN, TEACHER OF THE YEAR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota [Mr. MINGE] is recognized for 5 minutes.

Mr. MINGE. Mr. Speaker, I rise today to pay tribute to a resident of my district, Mary Beth Blegen. She was honored by President Clinton with the National Teacher of the Year Award. This type of recognition is not new to Mary Beth. She has been honored before by the accolades of her community and the success of her students.

Mary Beth lives and teaches in my hometown of Worthington, MN, where she has also written an occasional column for the local paper. On several of these occasions, others in my district have sent me copies of these columns for my benefit and instruction.

I remember one in particular that provided good hometown advice from the local coffee shop on how to balance the budget and dispense with the politics that so often contaminate the process. The restaurant, after all, is a repository of much wisdom in our society, and Worthington is typical of small communities with such restaurants in rural America. Unfortunately, we did not take all of the advice from the restaurant, and our balanced budget has not yet been accomplished.

Mary Beth graciously accepted the Teacher of the Year Award this afternoon in a typical fashion, downplaying her achievement by recognizing the dedication and skill of teachers throughout America. She states that she accepted the award for all of her fellow teachers who are committed to their profession and their students.



Mr. Speaker, I urge that you and other Members of this body join me in congratulating Mary Beth Belgen of Worthington, MN, as National Teacher of the Year. Also join me in congratulating the teachers from the other States throughout the country that were named teachers of the year in their respective areas, and finally, let all of us join in acknowledging that there are thousands, tens of thousands of teachers throughout this Nation who are not being recognized today except by the students whose lives they enrich and whose lives are so important, and education is so important to the future of our Nation.

#### A DIALOG ON INCREASING THE MINIMUM WAGE

The SPEAKER pro tempore (Mr. COLLINS of Georgia). Under the Speaker's announced policy of May 12, 1995, the gentlewoman from Connecticut [Ms. DELAURO] is recognized for 60 minutes as the designee of the minority leader.

Ms. DELAURO. Mr. Speaker, what I want to do is to engage in this effort tonight to have a dialog, if you will, and discussion with several of my colleagues to talk about the minimum wage. I will yield to my colleague, the gentleman from Texas [Mr. GENE GREEN], and thank him for participating with us tonight. I would ask him to just kick off this effort tonight for us.

Mr. GENE GREEN of Texas. Mr. Speaker, I would like to thank my colleague, the gentlewoman from Connecticut [Ms. DELAURO], for organizing this very special order on the minimum wage.

Mr. Speaker, I join a number of our colleagues tonight in support of an increase in the minimum wage. Since the President proposed increasing the minimum wage to 5.15 over 2 years, a river of ink has flowed on both sides for this issue. According to the latest national poll, 87 percent of Americans favor an increase in the minimum wage. However, some of my colleague in the Republican Party continue to oppose a minimum wage increase, and they even oppose the minimum wage.

In fact, I may have taken the gentlewoman's poster, because this is such a great quote: "Emotional appeals about working families trying to get by on \$4.25 an hour are hard to resist. Fortunately, such families don't really exist." That is why my colleague and a good friend of mine, the gentleman from Texas [Mr. TOM DELAY], I want him to know that I have these families in my district that are trying to get by on \$4.25 an hour tonight. Maybe that is our problem. Maybe they have lost touch with what is actually happening out in America, with families trying to get by on \$4.25 an hour. There are families that are trying to do that, and it is a shame that maybe some of our colleagues in Washington do not understand that.

Mr. Speaker, Republicans continue to argue that an increase may lead to higher unemployment and increase the number of welfare recipients. Mr. Speaker, the logic of this just does not match. Ask anybody on the street if increasing the minimum wage will increase welfare recipients. Mr. Speaker, the best welfare reform we can pass is a job that pays a decent wage to get people off welfare.

Additionally, some of these same critics claim that the minimum wage is paid mainly to teenagers, and that an increase would cause layoffs of these teenagers. Americans know that the real value of the minimum wage has steadily declined for the past 15 years, and that minimum wage earners have not seen an increase since April 1, 1991. Fifty-seven years ago Congress passed its first minimum wage of 25 cents an hour, and 57 years later, Americans are working to find that the real value of the minimum wage has steadily declined during these past 15 years. Minimum wage increases have been passed bipartisanship. In fact, our current Senate majority leader and our current Speaker voted to increase the minimum wage in the late 1980's.

Minimum wage earners today have seen a fall of 45 cents in real value since the 1991 increase. The idea that an increase in the minimum wage could lead to an increased number of welfare recipients is simply not correct. In fact, the opposite is true. Again, the best welfare reform is a job that pays a livable wage. What critics fail to recognize is that the current minimum wage does not even provide a livable wage. Using today's minimum wage, workers putting in their 40 hours a week for 52 weeks a year will earn just over \$8,800.

In my district, the current poverty line for a family of three is \$12,000. You can work full-time, one wage-earner in your family, minimum wage, and still be eligible for food stamps, so this quote by my colleague, and again, a good friend, I would say to the gentleman from Texas, I have families in my district who are trying to struggle on the minimum wage at \$4.25 an hour.

This working family is supported by a minimum wage earner well below the national poverty rate and is eligible in collecting food stamps. However, this same family, if we had an increase to \$5.15 an hour, figuring in the maximum earned income tax credit, would be \$1,500 above the poverty level if we increase the minimum wage. This increase would give my constituents and other working Americans the ability to work their way off of the welfare rolls.

It is argued that the minimum wage is a wage for teenagers, and therefore only at entry level. While this may have been true in the past, in fact, I remember working for minimum wage at \$1.25 an hour, and I was glad when Congress increased that minimum wage,

but the Bureau of Labor Statistics shows that the average minimum wage earner today is over 20, 20 or over, and more likely to be female and working full-time. The minimum wage is demonstratively no longer just for teenagers.

If Congress does not increase the minimum wage our welfare rolls will grow, quite to the contrary of what may be said on the other side of the aisle. But with a minimum wage increase, these families will have the opportunity to be more self-sufficient. We should have a clear vote on a minimum wage increase, without cluttering up or including tax cut issues or other issues the Republican majority may want.

One of the complaints I hear so often, and my colleague, the gentlewoman from Houston, TX [Ms. JACKSON-LEE], knows this, people ask us all the time, they say, "Why can you not just vote on a bill on its issue, instead of putting in everything but the kitchen sink?" That is what I am worried we are going to see. We are going to see extraneous issues thrown in the minimum wage. If 87 percent of the American people want a minimum wage increase, they deserve a vote straight up and down on a minimum wage increase.

House Republicans are talking a lot about working families, but they continue to show that they may be out of touch with where reality is at. American families are working harder than ever, and it is tougher to get ahead when working full time does not even put enough money in your pocket to put food on the table without food stamps.

Republicans have a golden opportunity to give the American families what they really need, a decent wage for a decent day's work. If Congress is serious about getting people off of the welfare rolls, Congress should allow Americans to work their way off of it by increasing the minimum wage.

I would like to thank the gentlewoman from Connecticut for this opportunity tonight to talk about that, and also for swiping your poster for a few minutes.

Ms. DELAURO. Mr. Speaker, I want to thank my colleague for his comments, which are just incredibly accurate about what we want to try to do in getting people off of welfare, to work. With regard to the comments by your colleague and my colleague, the gentleman from Texas [TOM DELAY] I might add, he is the third ranking member of the Republican hierarchy in the House of Representatives, and his commentary is "Emotional appeals about working families trying to get by on \$4.25 an hour and hard to resist. Fortunately, such families don't really exist."

□ 1900

This is the same gentleman. Let me tell the Members about his comments

earlier this year during the Government shutdown. He said, and I quote:

I am not a Federal employee. I am a constitutional officer. My job is in the Constitution of the United States. I am not a government employee. I am in the Constitution.

These were his comments, which is why he would not support suspending congressional paychecks during the Federal Government shutdown in December of 1995. One of the architects of this shutdown says that he is not a government employee, he should not give back his paycheck during the Government shutdown, someone who makes over \$130,000 a year.

Now he has the nerve just today to say that families who are struggling on \$4.25 an hour, roughly about \$8,500 a year, do not exist. This will give us a little bit of a taste of what we are dealing with in this body, and how out of touch some of our colleagues are with the people that they purport to represent in this body.

Mr. Speaker, I would like to yield now to my colleague from Texas [Ms. JACKSON-LEE] and thank her for joining us this evening.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentlewoman from Connecticut, and I thank her very much for giving us an opportunity to visit this question, as we have been visiting it now for a year.

We, as Democrats, have said that the increase in a minimum wage has been long overdue. Let me say to the Members that I remained open on the question as relates to listening to all those who would counter with a rebuttal of that concept. Why not open the door and hear what the discussion is all about?

I listened to someone more clearly, however, and that was the Honorable Barbara Jordan, who held this particular seat in the 18th Congressional District prior to certainly her demise this year, but certainly held this seat as it was first originated in 1972.

She came to this Congress offering to propose an increase in the minimum wage on the basis of social justice, and her comment was that she came here to remedy the social inequity and the economic inequity of her constituents in the 18th Congressional District in the State of Texas. She realized that if there was high unemployment there in communities where people were seeking to work, the point was that we needed to create jobs and we needed to create a decent wage.

So I come today to be able to say to all of those naysayers that in fact increasing the minimum wage will not decrease jobs. For example, the jobs are created mostly—and I have great respect for my constituents and others in the small business community, I know that we have done many things to try to lift their load—but the major jobs are created by major corporations in this country, and we realize that

those major corporations are now benefiting by enormous profits. We can look at corporate CEO salaries and see the enormous increase that has come about. We are just asking for the plain working citizen to have this opportunity.

In 1979, if we looked at the minimum wage at that time, it was equal to today's \$6.25. We are not even looking to increase it to that amount; 90 or 95 percent, to lift it to something like \$5.25, a bare increase for our working families who have opted to work instead of get on welfare.

In fact, those families that have been mentioned that do not exist, they exist in my community and many communities out through America. In fact, they are not teenagers, they are heads of households who are trying to maintain a family unit. In fact, our increase will give a mere \$1,800 increase per year that will allow those families to do something like pay their utility bills, their water bill, their rent, to provide the necessities for their children that go to school, because we have people making \$4.25 an hour who have a family of four.

I am aghast at the interpretation and, as well, the definitions that have been attributed to middle class and lower middle class and upper middle class. I am just maybe trying to find the dictionary that these definitions are coming from.

I have a colleague here in the House, a Republican who has indicated, "When I see someone who is making anywhere from \$300,000 to \$750,000 a year, that is middle class. When I see anyone above that, that is upper middle class." This is a statement by the Republicans, and they have here listing \$100,000 to \$200,000, that is lower middle class; \$300,000 to \$750,000, that is middle class. I guess \$750,000 and above is upper middle class.

We are talking about the basic infrastructure of this country, the kind of people who day to day get up and drive that 1979 car or that 1982 car, that get on our public transportation, that work every day, grown-ups, not teenagers, who need this kind of increase to make them whole. This is certainly evidence that we are not connecting on the other side of the aisle, that they are not listening to the American people, the 87 percent.

My colleagues from Texas and of course from Connecticut are so right that we have got to speak for those individuals who are simply asking for a better day to see the end of the tunnel. Let me just say as I bring my comments to a close, thanking the gentlewoman so very much for giving us this very vital opportunity, when we begin to talk about welfare reform, it really pains me that we are not talking realistically.

We are not talking realistically because we are suggesting that an indi-

vidual should rid themselves of a safety net, not because they want to be a hold or a deadbeat, if you will, a hold on this Nation, or to draw on taxpayers' dollars or working Americans' dollars, but because they simply have to survive, and because of whatever reasons, viable reasons, their children have to survive.

When we reach the point where these individuals have made commitments to work, and everyone I speak to that is on welfare wants to work, then we must be able to provide the opportunity for them to support themselves and their children. That requires child care sometimes. It requires health care, of course, with that, and it requires making ends meet by paying for your food and your housing.

How can they do that on \$4.25, when a grown man will come to me and say, "I don't know, I'm prepared to give up, and maybe welfare is the best alternative because I'm working but I can't make ends meet on \$4.25. I want to stay in the work force. I want to work."

Those companies who have people employed, it is well known that the increase of minimum wage will not in any way generate a major loss of jobs or a loss of profits. It may even increase productivity. We must begin to work together on this issue, small businesses, large businesses, Republicans, Democrats, working America to make America better.

I will simply say let us get rid of the politics, just like we wanted to pass a clean continuing resolution to keep the Government open. Let us pass a clean minimum wage bill, and anyone who wants to come and debate us on the loss of jobs, I am prepared to debate them, to show the numbers, that there is no documentation in fact that will show that there will be a demise of productivity.

My last point is that we have had over 100 economists tell us that an increase in the minimum wage will not cause a demise of this country. We should listen and move forward to make Americans whole.

Mr. Speaker, I thank the gentlewoman from Connecticut for this time to discuss this very important issue.

Ms. DELAUNO. Mr. Speaker, I thank the gentlewoman from Texas for her remarks and for participating this evening. When the gentlewoman holds up a chart that has someone in this body who truly believes that middle class America's salary range is somewhere between \$300,000 and \$750,000 a year, and literally believes that, and then we have someone who says that such families do not really exist, families that make \$4.25 an hour, roughly about \$8,500 a year, once again it emphasizes how truly out of touch that some Members and Members in the majority are in this body with the people that we represent.

We took this special order tonight really to urge our colleagues on the



other side of the aisle, Speaker GINGRICH, the Republican leadership, really to stop their cynical effort to stiff working Americans. Bring to this floor legislation to raise the minimum wage. Do not do what the public believes we do all of the time, and that is to cloud the issue of minimum wage with a variety of other pieces that will kill a 90-cent increase in the minimum wage.

My colleagues and I know that hard-working American families are scrambling just to make ends meet. They scramble to put together the money that they need to pay their bills every week. These families have done the responsible thing to raise their families. They work hard every day. They try to feed their kids. They try to pay their bills. They work and they struggle. They pay taxes that seem always to be going up but their salaries do not go up.

These are good citizens who want to know that they are going to be rewarded for a lifetime of work, and that is that they have taken the personal responsibility in their lives to do the right thing, and that that needs to get recognized by those of us who serve in this body.

Plainly, working Americans need a break. They are working harder and they are working longer hours and they are working for less and less. The rewards of all of this hard work just do not meet the needs of today's families.

All the while, our country has forgotten workers struggle and they scramble, and countless working Americans find themselves the victims of downsizing. The stock market booms to record the highs and the corporate executives line their pockets with outrageous compensation.

Since 1990, the salaries of corporate CEO's have surged by 9 percent a year, yet the minimum wage is at its lowest level in purchasing power since Dwight Eisenhower occupied the Oval Office. In fact, last year, the median income of corporate executives in this country was \$2 million—\$2 million. That is over 200 times the annual salary of a minimum wage worker.

The Nation's minimum wage today is a paltry \$4.25 an hour, and I am really proud to join my Democratic colleagues and President Clinton to sponsor legislation to boost this wage to \$5.15. That is 90 cents. A mere 90 cents, while we have individuals in this country who are making on average \$2 million a year and some much more than that, sometimes \$40 and \$50 million a year, which does not include their stock options.

We have people who serve in this body who make a very good salary, over \$130,000 a year, the people who have gotten up and who have said that families that make \$4.25 do not exist and that middle class Americans are making \$300,000 to \$700,000 a year.

What are we going to do? Again, another quote from the majority leader,

the majority leader of the House of Representatives, let me tell the Members what his quote is. His quote is: "The minimum wage is a very destructive thing. I will resist a minimum wage increase with every fiber in my being." This from the House majority leader.

It is truly unconscionable and disingenuous for people to stand here and say these kinds of things and purport to represent working men and women in this country.

Mr. Speaker, I see my colleague on his feet here, the gentleman from New York [Mr. OWENS]. Please go ahead and join the debate.

Mr. OWENS. Mr. Speaker, I want to thank my colleague for taking this special order on the minimum wage.

The kind of quote that the gentleman just read, that "the minimum wage is a very destructive thing. I will resist a minimum wage increase with every fiber in my being," that is House Majority Leader DICK ARMEY, who is at least honest enough to say what he believes.

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The danger now is that we have entered a new period where there are people now who recognize that the common sense of the American people, as expressed through opinion polls, and I am sure people are on the phone calling their Members of Congress, common sense says that people deserve an increase.

We are talking about pennies here, a 90 cent increase over a two year period. But that adds up over a whole year, and there are people that say, "That would put some more food on my table and make it easier for me to pay my bills, so I want the 90 cents."

Having recognized that there is a rising tide out there among the voters for a minimum wage increase, we have now some Members of the Republican majority who want to pretend they are concerned about an increase. They want to pretend, and then come with obfuscating, devious moves, to bog down the debate.

I sent out a special alert today to all my Democratic colleagues. I serve as the ranking Democrat on the subcommittee on Workplace, Protections, which is responsible for the minimum wage as an issue, and I thought that I should alert them right away as to what is coming.

I got a letter from the Republican side that showed that we are not going to see any rapidly escalating recognition of the will of the people resulting in a passage of the minimum wage. We are going to see a new kind of diversionary tactic.

So I sent out this item which I called "Special alert. Republican wage ambush is coming. The diversionary quagmire."

DEAR COLLEAGUE: Pretending to be suddenly concerned about livable wages for

workers the Republican majority is preparing a legislative obstacle course to forestall the passage of meaningful legislation. We must avoid this quagmire of quicksand.

A simple Straightforward Increase Is Best for America. Our current position must be reaffirmed and kept focused: we demand an immediate increase in the minimum wage. Step by step let us go rapidly all the way to \$6.25 per hour which would bring the lowest paid person even with inflation. Step one requires passage of a 90 cents increase to \$5.15 per hour.

No bureaucracy, government intrusion, and no cannibalizing of EITC should be allowed to take place behind the banner of raising the minimum wage. Hearings may be scheduled very soon to promote a Byzantine proposal that makes a mockery of livable wage legislation. It proposes more corporate welfare through wage subsidies for employers, it imposes government intrusions on a scale greater than the present socialism of the farm subsidy programs, and, finally, the Republicans propose to raid the EITC program and siphon funds away from low income workers into a tax cut.

Emergency action is needed. I am calling on all the Members of my party, Democrats, to sign up to cosponsor the true minimum wage increase bill, the Gephardt-Clay bill, H.R. 940.

Now, what am I talking about? What did I receive from the Republicans? What did I have sent to me by somebody? It is a letter which is sent by my chairman of the Subcommittee on Workplace Protection, the gentleman from North Carolina [Mr. BALLENGER], and another member of the committee, the gentleman from Arkansas [Mr. HUTCHINSON]. I am going to read portions from their letter to give them equal time. I am quoting from the letter sent out by Mr. BALLENGER and Mr. HUTCHINSON. It reads as follows:

We will be introducing legislation which would accomplish the goal of helping America's working families, while avoiding the economic pitfalls associated with a minimum wage increase. "The Minimum Wage for Families Act" would fundamentally redesign the Earn Income Tax Credit (EITC) by: converting the large annual lump sum EITC payments into monthly payments so as to more practically supplement family income; by denying credit to undocumented workers; by eliminating credit for childless adults; by increasing the support credit for parents; by renaming the EITC the Working Families Support Credit.

If you believe that those people who are in need of wage assistance are America's working families, as opposed to teenagers employed during their summer vacation, please join us in support of this proposal.

This is a proposal coming from the Republican side. This is the ambush that is waiting for us before we get to that goal of a minimum wage increase.

They propose a three-tiered minimum wage. They want individuals to be employed at \$4.25 an hour, and families with one child would get \$7 an hour, and families with two or more children would get \$8 an hour.

How does it work? Employers would be able to hire as many job applicants as possible at the current starting wage of \$4.25. The Federal Government would provide families with children a monthly cash payment to bring these families up to the \$7 or \$8 level as outlined above. The payments would be administered through the Internal Revenue Service.

You talk about the intrusion of government into lives of Americans? You talk about corporate welfare? Here are two blatant examples of it. They are going to subsidize the salaries so the corporations can hire people at \$4.25 an hour. Then they are going to have the government get involved in determining who should make \$7, who should make \$8, and the Internal Revenue is going to be the administrator of all this.

The proposal is expected to be scored by the Joint Tax Committee they say, and it is going to save, according to the Republicans at least \$15 billion over six years.

Now, this is really a quagmire we are headed into. I am reminded of the story of the young sophomore who came home from college, and he sat down at the table with his father, who was a factory worker, and the rest of the family, and they had a big chicken on the table they were about to eat. The young sophomore had just taken a course in philosophy. So he told his father, dad, there are really two chickens on this table. I can show you starting with the right a priori assumptions and using ontological progression and based on epistemological reasoning, I can show you where there are two chickens on this table.

His father looked at him for a while and listened, and suddenly reached over and grabbed the chicken, pulled it to him, and started carving the chicken and said, "Look, son, if there are two chickens on this table, I am going to carve this one, and we are going to eat this one, and you can have the other one all by itself."

This is what we have here. The Republicans are giving us a chicken in a pot, a dodo in a pot, to confuse the issue, and we are going to have long-winded sermons about how EITC is the answer to the minimum wage problem.

Never before have I seen a proposal which so much ran against the grain of the Republican ideology. They are going to put government in the business of subsidizing wages and have government administering the difference between the \$4.25, determining who should get the \$7 and who should get the \$8.

So I think we have a long way to go. I was getting very optimistic myself about the rising tide of public opinion and how everybody suddenly is responding. There are 20 Republicans proposing a bill to increase the minimum wage by \$1, not 90 cents, and I was get-

ting euphoric about the democratic process.

But now I see we are going to get bogged down, and only the image of being concerned is what they are after. They want to appear to be concerned about working Americans and play with the lives of working Americans, and play with it with all of these highfalutin proposals to have government put people through some kind of obstacle course or maze and finally come out with an EITC that is going to be robbed in order to create some more money for a tax cut.

So I agree very much with the gentlewoman, that we must keep our eyes on the price, and focus, because the kind of straightforward statement that Mr. ARMEY has made, we should be grateful for that. We are going to have something far worse to deal with in the days ahead, the ambush that is being prepared for the minimum wage.

Ms. DELAURO. I want to thank my colleague from New York. You are absolutely right. This is a move, it is called rehabilitation here, to talk about how we are going to try to help working families. These are from the same crowd that just not too long ago wanted to cut \$23.2 million from the EITC, take 14 million families in this country and say, and these are people working, remember, this is Earned Income Tax Credit, not someone on welfare, Earned Income Tax Credit. They were willing to set adrift 14 million families, not too many months ago, by cutting that Earned Income Tax Credit.

Now, so that they can delay and they can stall and they can stonewall on the opportunity to vote on a minimum wage and to raise that minimum wage a mere \$.90, they are going to come up with all kinds of bells and whistles and tricky programs here. We must recognize it for what it is, a stalling tactic and an unwillingness to bring before this body the opportunity to vote on the minimum wage yes or no, with no fancy language, just a plain and simple vote. That is what the American public wants to hear. I thank my colleague for joining this conversation.

Let me recognize the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Speaker, I thank the gentlewoman for yielding to me. I just want to say I want to thank Ms. DELAURO, the gentlewoman, for raising the issue of the minimum wage. I believe we will eventually have a vote on the minimum wage. It is primarily, I believe, because of your efforts to force the Republicans to give us a vote. They do not want to do it.

As you have mentioned, they are stalling, they will continue to stall, they are going to find every way around it. But already I notice that because of your activities and because you have raised the issue so often on the House floor, we have gotten to a

position now where Speaker GINGRICH and some of the others have said that they may have to or be forced to bring up a vote on the minimum wage. I think a lot of that has to do with your efforts.

To me this is a very important issue. My own State of New Jersey actually has a much higher minimum wage, and it has worked very well. As you mentioned, with a minimum wage right now at \$4.25 an hour, that adds up to \$8,800 a year. To me it is an absolute disgrace that someone in America can work a 40-hour week for 52 weeks a year and only earn \$8,800. Basically I guess what they have to do is go out and get a second job. When you are working 40 hours a week, what are you going to do, work another job for the same amount of time, and then make only twice that amount?

My understanding is that a minimum wage worker right now is below the poverty level. It is just as easy to go on welfare rather than work for the minimum wage. Here we have a Republican majority constantly bringing up the fact, suggesting in some way part of their reasoning is they want to get more people off the welfare roles. This belies that. If they want to do that, they should raise the minimum wage. Otherwise we are basically saying that a person might as well go on the dole or get welfare from the Government.

The other thing I was going to say is that I really do not see any one legitimately coming on the floor of this House and saying that the minimum wage should not be raised. I think that is why you get some of the Republican leadership like the gentleman from Texas [Mr. DELAY], the majority whip, making the statement that you showed before, where he says that fortunately such families do not really exist.

The only way out of this is to basically say there is no such person, because if you say no such person, then you eliminate the need to raise the minimum wage. But of course there are people, there are a lot of people out there, who are just making minimum wage. There are a lot in my district and they have come up to me. They are young people, they are senior citizens, they are people from every walk of life.

Let me just make a few points, if I could. I know we do not have a lot of time. I just think one of the most important aspects is how this is a good thing for the economy. An increase in wages will increase purchasing power and improve the quality of life for millions of hard working Americans, not only the wage earners, but the local economy. Greater purchasing power will bring more money to our local economies and in the long run provide more stability and jobs for many small businesses. The purchasing power of our minimum wage earners is the lowest it has been since the early 1950's. I know you pointed that out over and over again.



One of the things that really gets me mad is when I hear Republicans talk about how an increase in the minimum wage will cause an increase in inflation. You have to be kidding me. You have the nerve to tell people who work for \$4.25 an hour that they cannot have a modest 90-cent increase in their wages because you are worried about how it will affect inflation. I think there are a lot of things we can do in our economy to keep inflation at reasonable levels. But to tell hard working Americans that their below poverty levels will have that effect on our economy and inflation is ludicrous.

Let me talk briefly about our home State of New Jersey and our experience if I could. We have already seen the wisdom of raising our minimum. It is now \$5.05 an hour. This increase has been a complete success. We have increased the purchasing power of our minimum wage workers and they have used that increase to purchase more goods from our local grocery stores and department stores.

This is not pie in the sky. There are studies that clearly show this on a bipartisan basis that the leaders in our State legislature and our Governor have pointed this out. It actually helped to keep our unemployment rate from growing too high, even with the downsizing and corporate restructuring that is so heavily affecting the State of New Jersey. It also provided for long-term growth. We have seen in New Jersey more jobs have been created and our economy has benefited from the higher wages.

Let me say what I see in my own State, this is the right thing to do. I just want to join my Democratic colleagues, and a few Republicans, I think Ms. DELAURO has pointed out there are some Republicans that have joined us who are going to help us in our efforts to get this passed. This is ultimately going to benefit all Americans. I just want to thank the gentleman from Connecticut again for her work on this, because I know you do not like to take credit, but I think you have single-handedly done the most in this House to bring this issue to the floor.

Ms. DELAURO. Thank you very much. Before I recognize the gentleman from California, let me just say there are going to be other people out here tonight trying to talk about statistics and the fact that this increase in the minimum wage is going to lose jobs.

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I will set the record straight. One hundred and one economists, Nobel prize laureates in economics, public statement they signed. "We believe that the Federal minimum wage can be increased by a moderate amount without significantly jeopardizing employment opportunities."

Mr. DELAY will say that if you are on a minimum wage, you receive the

earned income tax credit in food stamps. Reminder: They wanted to cut the earned income tax credit by \$23.2 million. They will shred the Food Stamp Program. Also the crowd that brought you a \$245 billion tax break for the wealthiest Americans at the expense of those who are today on Medicare.

So just to set the record straight a little bit, and, also, final point. Who are the minimum wage workers? Who are these \$4.25 an hour folks who do exist in every single Member's district? And if you close your eyes to them, you do it at your peril in this body. Two-thirds of minimum wage workers are adults, 60 percent are women, 40 percent are the sole bread winners in their family.

So that what you have here is the opportunity to lift these households up so that they can raise their families. We could lift up 300,000 families out of poverty in this country, 100,000 children who are currently living in poverty. Again, just to set this record straight.

I want to recognize the gentleman from California, Mr. MILLER, and thank him for all of his efforts in this area.

Mr. MILLER of California. I thank the gentleman for taking this time, and this very opportune time. Not only are we struggling to get a clean vote on increasing the minimum wage for those millions of American workers who need it to support themselves and their family, but now we start to see the limits to which the Republicans will go to keep us from having a clean vote.

They talk about attaching all kinds of anti-labor riders or attaching a lot of legislation that they think will be unacceptable to us and to the President so that he would have to veto the bill. Majority Leader ARMEY has said he will resist the minimum wage increase with every fiber in his being. Apparently, that is what is going on here.

But what they have done in the last couple of hours by suggesting this proposal to take the earned income tax credit away from poor single workers to provide for people with families with children is incredible, because what the Republicans are saying is they are now going to tax the poorest of workers in this country. They are going to raise their taxes because those people will have less income after this action than before and they are going to give it to other poor people to increase their income.

But why are they doing it? Because they have decided they would rather have the taxpayers in this country subsidize low-income jobs than have the marketplace provide a livable wage.

Now, it is ludicrous on its face. As was pointed out by the gentleman from New York, they are talking about one tax rate for workers without children, workers with one child, with two children. We just passed the farm bill,

where we provided hundreds of millions of dollars in subsidies to farm families. We did not distinguish between farm families with children, farm families with one child, farm families with two children, farm families where only one person is working with farm without children. We based it upon their outcome and output of that farm.

Why do we not tax rich people? Rich people with a lot of children would be at one tax rate and single rich people would be at another tax rate and we could give that to poor people.

What do we say about work in this country? Equal work for equal pay. But now what the Republicans have decided is in fact it is going to be some other classification to determine whether or not Americans will get paid. It does not say the employer cannot provide an increase in the minimum wage. Under this the incentive is for the employer not to provide any increase. The Government will pick up the tab. The Government will go into the marketplace and subsidize his employment. In fact, we essentially have an incentive not to pay an increase in the minimum wage, not to increase your wages. Why? Because the Government will pick it up.

We could understand this on its face if we did not know the history of this party, the Republicans on the other side, because not only are they against the minimum wage, but they also have been slashing all of the supports to those people who are working at the minimum wage and cannot sustain a livable wage for their family even though they go to work every day.

So what we see is there are only two places people can go. They can either go to the Government or they can go to the marketplace. But what the Republicans are saying is the market has no obligation to provide you a livable wage, a wage that will support you or your family. So what we will do is we will just have the Government subsidize those employers who simply choose not to pay the minimum wage. This is ludicrous. It is absolutely ludicrous.

If that is a conscious decision, and they will be back here cutting the EITC, as they did the beginning of this year when there was no intent that they were going to pass it on, they were simply going to use it to balance the budget or pay for their tax cuts. We simply cannot allow that to happen.

I think there is a fundamental decision. If you choose, if you chose and you admit that the American economy cannot provide livable wages, then you may be dissident. But I do not think that is what this is. This is an effort to derail a clean vote on the minimum wage. This is an effort to try to put something up here so people can look, sort of like we saw today, where they put some bills so they could look like they were friends of the environment

but their voting record was completely to the contrary. That is what this is.

It is an outrageous proposal to tell two people who work hard side-by-side that somehow that the employer has no obligation to them to provide an increase in their wage, if in fact they have a child or they have more than one child, even though they are doing the same job, they are working the same hours and working the same schedule.

Mr. DREIER. Mr. Speaker, will the gentleman yield?

Mr. MILLER of California. I will in a moment. It is actually the gentleman's time.

Mr. DREIER. The gentleman referred to me.

Mr. MILLER of California. I did not refer to you.

Mr. DREIER. Well, you pointed to me. I considered that a reference.

Mr. MILLER of California. Well.

The point is this, that what this country deserves and what its low income wage earners deserve is they deserve a raise, they deserve the dignity of having the ability to stay even with the increasing costs in our economy; to be able to provide for their family; hopefully maybe even to reach out and provide health care, which is unreachable to most of these individuals.

But what happens? The employers in this country simply choose not to pay that wage. Quite legitimately, there are some owners that may not be able to, but there is no distinction in this provision. You simply choose not to pay it and the Government comes in and picks up your costs. There is a lot of people in the same business side-by-side in the same towns, we know them all, people pay more than the minimum wage and other people choose not to. People offer health care in the same business, the other person chooses not to.

Do not offer health care, the Government will pick up the cost. Do not offer a pension, the Government will pick up the cost. Now do not offer a minimum wage, the Government will pick up the cost. This is starting to sound like corporate welfare. This is starting to sound like people who decide they are simply not going to meet their obligations to their fellow human beings in terms of their work, their labor, and their efforts on their behalf.

This is the suggestion that the corporate body, the working party, is only because of the owner of that capital, or somehow that they are the only people that contributed as opposed to the employees who work every day for these individuals.

Mr. DREIER. Mr. Speaker, will the gentleman yield?

Mr. MILLER of California. What we need is we need an up or down vote on the minimum wage. We now have a majority in this House asking for that up

or down vote. We have a majority in the Senate asking for that up or down vote, and what they ought to stop doing is throwing all of these things to try to throw people off the track and suggest that somehow they are there for low income working people in this country, because the fact of the matter is they are not there for low income working people in this country.

These people are going to work every day, and when they get done at the end of the year after working every day, they end up poor and they cannot provide for themselves or for others, and that simply is unacceptable in this country. The country recognizes it is unacceptable. Apparently only the leadership in the House of Representatives and the Republican Party fails to recognize the need to do this and the need to do it now and to do it in a clean fashion.

Mr. DREIER. Will the gentleman yield?

Mr. MILLER of California. It is the time of the gentleman from Connecticut. I want to thank the gentleman for raising this issue and taking this time so that we could discuss this issue.

Mr. DREIER. Will the gentleman yield?

Ms. DELAURO. I want to thank the gentleman from California for his eloquent remarks, and for pointing out that in fact what this is about is a basic and fundamental—these words are accurate. These words are accurate. There are those in this body who feel the same way about resisting a minimum wage increase with every fiber in their beings, which is what this is about in terms of bringing up a program that will try to borrow from an earned income tax credit, set some folks adrift.

One of the most interesting commentaries we have heard in the last few weeks on this issue is that the Republican Presidential nominee said recently he wanted to use the issue of the minimum wage increase to pass some things, quote, that the Democrats might not be so crazy about. Those kinds of threats represent political posturing that in fact sells the American people short, as you were pointing out.

Instead of trying to stick it to Democrats, what the Gingrich-Dole Congress should be doing is to do something for working Americans, not just talking about it when it becomes a political albatross.

Mr. DREIER. Would the gentleman yield?

Ms. DELAURO. I am sorry, you will have your own time in a few minutes.

Mr. DREIER. I do not have any time at all. My friend from California indicated that he was going to yield.

Mr. MILLER of California. Mr. Speaker, could we have regular order here?

Ms. DELAURO. If I can continue. Rather than trying to lend a hand—

Mr. DREIER. Mr. Speaker, may I ask, is the gentleman not going to yield; so should I sit down?

Mr. MILLER of California. The gentleman is not going to yield.

The SPEAKER pro tempore (Mr. COLLINS of Georgia). The gentleman from Connecticut controls the time.

Mr. DREIER. OK. Thank you.

Ms. DELAURO. The Republican leadership continues to try to score points with these political ploys.

Mr. DELAY. Would the gentleman yield? She used my name. Would she yield?

Mr. MILLER of California. If the gentleman would yield to me.

Ms. DELAURO. Be happy to yield.

Mr. MILLER of California. What we have seen is time and again, time and again, that as this issue has been discussed, they have tried to avoid it. Now, because a few Republicans have broken ranks, a few Republicans have even suggested they would be prepared to sign a discharge petition, as necessary, because apparently what we will not get is we will not get a clean vote on this matter. They will try to trick up the bill in the Committee on Economic and Educational Opportunities or trick it up with an amendment on the floor or in the Committee on Rules.

We have watched this process now time and again for the last 16 months in the House of Representatives. What the committees do does not matter, so, then, they go to Rules and they trick it up there.

The fact of the matter is this, what a majority of this House of Representatives has now asked for is a vote on the minimum wage, to raise it either 90 cents or to raise it a dollar. And what we now are starting to see are a whole series of proposals suggesting what they could do to load down that legislation so that either people who would support the minimum wage will not be able to get a vote.

One of the things that angers the public the most is the notion of riders, is the notion of taking subject matter A and attaching subject matter B to it. When President Reagan stood here and said never again would he sign a continuing resolution with all of these riders on it, he was cheered across the Nation. So what do we see now? We see the same old parliamentary tricks that are going to be used to try to keep this House away from a direct up or down vote on raising the minimum wage.

Raising the minimum wage, I think the gentleman said, I do not know, that it is the lowest now that it has been in?

Ms. DELAURO. In 40 years.

Mr. MILLER of California. In 40 years. To restore the purchasing power to where people who have—

Mr. DREIER. Would the gentleman yield on that point?

Mr. MILLER of California. I will not yield. We have our time. We are here to make a point.



Mr. DREIER. But I think the debate is something that is very important here.

Ms. DELAURO. Regular order, Mr. Speaker.

Mr. DREIER. I just think it is a very important matter.

Ms. DELAURO. Regular order, Mr. Speaker.

Mr. MILLER of California. Mr. Speaker, may we have regular order?

The SPEAKER pro tempore. The gentleman from Connecticut controls the time.

Mr. DELAY. Well, then, would the gentleman yield to me, because she used my name on the floor?

Ms. DELAURO. The gentleman has his own time, which is coming up, so the answer to that question is no.

Mr. MILLER of California. The point is that what we are talking about is taking people who have continued to lose purchasing power, who have continued to lose their ability to support their families, to purchase the very basics, the very basics of the American economy, health care, put away money for a pension, put away money in savings, to be able to have decent housing for themselves and their children.

Those basics are now not afforded to people who go to work and work 8 hours a day, work 52 weeks a year, in many instances find that they have to try to work overtime, all of those things simply to try to reach the poverty line. That is what we are here for and that is what the gentleman has talked about restoring. That is what the President of the United States has talked about restoring, and it is absolutely fundamental and important that it be done.

Ms. DELAURO. I would just make the point that the Members of this Congress made more money when they shut down the Government during the Christmas holidays than a minimum wage worker makes in a full year. I think that that speaks volumes as to where some of the folks in this body are.

One of the other comments that has been made in the last few days is that what we need to do is to have hearings, again one more way in which to delay the process of this.

□ 1945

The revolutionary Republican leaders last week wanted to rewrite the Constitution of the United States without a single hearing. We have called for \$270 billion that they have called for in cuts in Medicare where they have had one hearing, \$168 billion in cuts in Medicaid and no hearings. We do not need any hearings. What we need to do, this is a no-brainer. Bring up the minimum wage as this body wants, 84 percent of the American public wants to see an increase in the minimum wage. That is what we need to be doing, bring it up for a clean vote, a vote that says that

we recognize what hard-working Americans are doing every single day in this country and that we need to recognize what they do instead of just talking about it, when we are sent here by them and that card that they give us, which allows us to vote here, which is what we are supposed to do, is vote on the minimum wage, when there is clamoring in this country to do that and when we have one party that will just hold it up except for a few who split off, and I welcome their participation, I am not sure that they are welcome in their own ranks. But we welcome them because what we need to do here is in fact what the public has asked us to do, is to represent their interests.

I will tell you what some of my constituents say to me these days, why are you arguing back and forth. I will tell you that I think there is a fundamental difference in people who stand in this well, those people who believe we ought to have an increase in that minimum wage to reward hard-working Americans and those who truly do not believe that they should. There is some fear in that belief and the debate and the issue is worth fighting about. That is what this Nation stands for, what its values and what its priorities are. And its values have to do with working middle-class family values of work and personal responsibility and rewarding people to do that and not fighting it with every fiber of their beings and not saying that these families do not exist in this nation.

Mr. MILLER of California. Mr. Speaker, if the gentleman will continue to yield, when we see all of this concern all of a sudden about whether or not an increase in the minimum wage is going to contribute to inflation, when in fact at best what we would be doing is allowing people to partially catch up for purchasing power that they have lost, but I do not see that echoed when we see all of these other indices that are raising way ahead of inflation, CEO salaries, increased values in stock, stock options provided to people, apparently none of that contributes to inflation. The fact that people, that people have increased their earning power thousands of times.

Ms. DELAURO. Repealing the alternate minimum tax, which is something that they would like to do.

Mr. MILLER of California. So these people can escape taxation; they can have all of their deductions. But what we said was at the end of the day, you pay something for the privileges of living in America. They have tried to repeal that. So even the wealthiest of people and corporations do not have to pay. But all of a sudden we are worried about whether somebody making \$4.25, \$4.30, \$5 an hour, whether these people are going to be those who spark inflation. I think there is something wrong

with the priorities of the people who suggest that, that somehow the culprits in this fight, these low income people who are doing in many instances some of the most difficult jobs in our society, in some cases some of the dirtiest jobs, some of those thankless jobs, some of the most tiring jobs, and we have all been in business institutions where we have looked at people who are much older than we are, who are still out there pounding, trying to stay equal in our society, working at the minimum wage, working there, trying to support their own children, trying to support themselves, and very often I am sure we have said, boy, I am a lot more fortunate than they are. But now all of sudden they are the bad people. They are the bad people in the war against inflation, somebody who is trying to catch up because they have lost their purchasing power, that that is going to ignite it.

I think the gentleman is right. It is fundamentally a different set of values about human beings, about the values of their work, about the value of their families, about the needs that these people have and the dignity that they are entitled to when they work as hard as they do and yet they still end up poor at the end of the year. We owe them better than that. I thank the gentleman for taking this time.

Ms. DELAURO. Mr. Speaker, I thank the gentleman from California. I would like to really close with what a great American President Theodore Roosevelt, a Republican President of the United States said. I quote, "No man can be a good citizen unless he has a wage more than sufficient to cover, to bear cost of living so that after his day's work is done, he will have time and energy to bear his share in the management of the community to help in carrying the general load."

Theodore Roosevelt, a great American President, said this. He was not a revolutionary but he did, in fact, understand progress and what it means.

I just finish by saying that it is time to assist working men and women in this country. Bring the minimum wage vote to this floor. Make it a clean vote and let people do what they sincerely believe ought to be done as to whether or not we ought to raise or not raise the minimum wage in this country.

In my view, it needs to be raised.

Mr. FRAZER. Mr. Speaker, I want to thank the Congresswoman from Connecticut for holding this very important special order on the minimum wage.

Today, I want to join my colleagues in urging the Speaker to bring the minimum wage increase legislation to the floor for a vote.

Approximately 30 percent of the Virgin Island work force is employed in the service industry. A majority of these workers are adults who support families. It is very difficult to support a family on \$4.25 an hour. The Virgin Islands is considered the American paradise, yet 36 percent of the population live below poverty.

Mr. Speaker we need a commonsense approach to solving our economic problems. If we can give small businesses 100 percent deductibility for health care, then we can raise the minimum wage by 90 cents.

I urge my colleagues to support raising the minimum wage, its good for small business, its good for workers and its good for the Nation.

**REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 175, FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 1996**

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 104-534) on the resolution (H. Res. 411) providing for consideration of the joint resolution (H.J. Res. 175) making further continuing appropriations for the fiscal year 1996, and for other purposes, which was referred to the House Calendar and ordered to be printed.

**MORE ON THE MINIMUM WAGE**

The SPEAKER pro tempore (Mr. COLLINS of Georgia). Under the Speaker's announced policy of May 12, 1995, the gentleman from Texas [Mr. DELAY] is recognized for 60 minutes as the designee of the majority leader.

Mr. DELAY. Mr. Speaker, I take this special order to point out to the American people what we are going through, you just witnessed, here in the House. The liberal Democrats do not want to debate. They would not yield time even when they used a colleague's name and pulled out quotes of what a colleague has used on the floor. They did not even have the courtesy to debate that colleague because they know that they have taken the words of their colleagues and taken them out of context and twisted them.

They are not the points that the colleagues were trying to make. They know it. That is why they will not yield to us. That is why they will not debate us. All they are doing is calling for a vote on minimum wage, and they really do not care about entry level workers or the poor in this country because, if they did, they would really want to debate this issue. But they do not want to debate. They want to get up and talk and talk and talk and talk, misrepresenting everything that these Members are doing down here, and trying to allow the American family to take home more pay by getting big government and Washington Government out of their pocket.

Mr. Speaker, that is the way to help the American family in America, not some arbitrary Government-set wage and price controls that disrupts the market and actually puts people out of work and lowers the ability of people to create jobs, to put people to work.

I yield to the gentleman from California [Mr. DREIER]. I am very happy to

yield to the gentleman from California. Unfortunately, the liberal Democrats do not want to debate the gentleman from California.

Mr. DREIER. Mr. Speaker, let me say to my very dear friend that this is a historic moment for me. I wondered if at any point in my life anyone from the well would in fact yield time to me. So we have gotten to that point, and I would like to express my gratitude and say that I plan to use it briefly but, I hope, very wisely. It is unfortunate, as my friend said, that on the other side of the aisle that our colleagues refuse to engage in any kind of discussion on this issue. They want to simply embark on a monolog.

Mr. Speaker, if I could just take a couple of moments to respond to some of the preposterous claims that were made on the other side of the aisle. First let me offer a disclaimer and say that I concur with my friend who has worked long and hard on this issue that having a federally mandated minimum wage is in fact not a benefit to working Americans. In fact it is something that will jeopardize job creation and economic growth, something which we seek very sincerely.

During this special order I did not hear this but it was just written down by one of our crack staff members on the floor. Our colleague from Connecticut reportedly said their taxes keep going up but their wages do not go up.

The fact of the matter is we on this side of the aisle tried to help President Clinton comply with one of his campaign promises back in 1992 by giving him an opportunity to reduce the tax burden on working Americans. We all know what happened with that opportunity that he had. He chose to veto that legislation and prevent those working Americans who, and the gentlewoman from Connecticut is absolutely right, saw their taxes keep going up, prevent them from having the chance, the chance to have a reduction.

Mr. DELAY. Not only did the President veto tax cuts for the American family, the people that have been calling the loudest for a minimum wage voted against tax cuts for the American family.

Mr. DREIER. That is absolutely right. Those people who argue that their taxes keep going up are the ones who keep increasing their taxes as opposed to those of us who want to reduce that burden.

The other thing that I found to be preposterous is that my friend from California proceeded to say that we now see the minimum wage at the lowest level in 40 years. Assuming that you are a strong supporter of increasing the minimum wage, the last time the minimum wage was increased was in 1989, and it was increased to \$4.25 an hour.

Mr. Speaker, now we know that the Democrats controlled this institution

and the other body during the entire first 2 years of the Clinton administration. They had the opportunity, if they believed in increasing the minimum wage, to bring it up and it would sail right through this institution. But why did they not do it? They did not do it for several important reasons.

Top advisors within that administration have made it very clear that they oppose increasing the minimum wage. Mr. Stiglitz, this was written up in the Wall Street Journal and has been said on several occasions, the chairman of the President's Council of Economic Advisors said a higher minimum wage does not seem to be a particularly useful way to help the poor. That is President Clinton's chairman of the Council of Economic Advisors.

The President, who is one of the founders of the Democratic Leadership Council, regularly associates himself with them when he is trying to be on the sort of moderate to conservative side. They said increasing the minimum wage is the wrong strategy to promote the goals of helping people work their way out of poverty and raising living standards and in reducing inequality. So the fact of the matter is, while they say that we are responsible for not bringing this up and doing it in the way that they want, when they had the opportunity to deal with what they said has been the lowest wage in four decades, they clearly had that chance in the 103d Congress, they ignored it. And only a few months before this election, when they think that it is politically appealing, do they choose to come forward and say that this is a critical item when we know it is going to cost jobs.

Mr. Speaker, I want to congratulate the majority whip for his fine efforts in trying to address this issue responsibly and soberly so that we can look at it and debate it, unlike our colleagues on the other side of the aisle.

Mr. DELAY. The gentleman from California is so right in what he says. This is the kind of thing that we have been going through for months now, if not for a solid year, of statements, commercials, moneys, millions and millions of dollars, talking about things like cutting Medicare when actually we are increasing the Medicare benefits to senior citizens, cutting school lunches.

It was just said on the floor, just a minute ago, that we wanted to cut school lunches when in fact we were increasing the spending on school lunches and they just keep talking about it this way. They used a quote of mine, and I need to answer that. It is a true quote taken out of context. The quote was, as put up by their chart, but they refused to answer or refused to yield to me so that we could debate the issue, emotional appeals about working families trying to get by on \$4.25 an hour are hard to resist.



Mr. Speaker, let me put it in context of exactly what I wrote and sent to my colleagues in a dear colleague. What I wrote was, and I will read it so that people can understand it and there will not be any misrepresentation about what my position is. "Supporters of raising the minimum wage argue that no one can afford to raise a family on \$4.25 an hour. That may be true. However, their argument conveniently ignores the fact that no one actually has to."

As the table below shows, and I hold the table up that is in the piece, any parent who is earning the minimum wage is eligible for food stamps and earned income tax credit. They may also be eligible for other government programs such as Medicaid. Once these two benefits are added to the minimum wage, a single parent with one child has a total income of \$5.76 an hour while a married couple with two children has a total income of \$7.47 an hour. These amounts could be even higher depending on child care and housing expenses. As the chart shows, a married couple with one child on minimum wage makes \$8,840 a year.

□ 2000

With EITC, the earned income tax credit, benefits, they pick up another \$2,152. That is a direct tax credit that is refundable to them by the Federal Government. On food stamps they would pick up \$2,142, for a total income of \$13,134 amounting to \$6.31 an hour. So when they trot out here and talk about \$4.25 and American families trying to live on \$4.25, they are misrepresenting the truth.

The other part of this that they keep trotting out here is that, and I have heard it, different numbers used, is that in some cases they said that 65 percent of those on minimum wage are families and so forth. I would be willing to submit to this House a study done by the Employment Policies Institute that uses 1992 and 1994 census data that shows that 90 percent of the people on minimum wage are single, living with parents or, living with a relative, and what I cannot understand is where do they get these figures? Most people know that people living on minimum wage are people that are on the entry level, just coming into the job market, are usually single and usually living at home, and usually living at home, in many cases, living at home with parents that are doing quite well.

This is not a debate. This is a dialog back and forth. You see where the liberal Democrats do not want to debate. What they want is to present a picture that is not exactly true. But we want the debate. We want to lay it out for the American people so that the American people know exactly what is going on with this political agenda of the liberal Democrats.

As the gentleman from California has already pointed out, the Democrats

have had control of the House and the Senate and the White House for 2 years, in 1993 and 1994, and they chose not to bring the minimum wage to the floor. But because they think this puts the Republicans in a politically vulnerable position, they are throwing up their hands and wailing and gnashing their teeth by calling for increasing the minimum wage. The minority party has made the minimum wage their cause celebre. They are fixated on a government mandate that most experts agree will kill jobs and kill opportunities for people who just want a chance to achieve the American dream.

Proponents of increasing the minimum wage argue that work must pay, that the minimum wage is not a living wage. They argue that simply adjusting the minimum wage upward will help poor people out of poverty. They say that a family of four cannot afford to live on a wage that pays \$4.25 an hour. Of course, they forget to tell you that a single parent with two children actually gets close to \$7 an hour once you figure in EITC and food stamps, and that is only part of the intellectual dishonesty that surrounds this debate.

The proposition to raise the minimum wage is fools' gold. It appeals to the naked eye, but upon closer inspection it is fraud, pure and simple.

I am not an economist, so I will not give the economists' view of the mandated minimum wage, but I am a former small business owner, and I do understand the impact that this will have on entry level jobs. Raising the minimum wage will kill entry level jobs. Without entry level jobs, low-skilled and young workers cannot gain valuable work skills that will lead to later higher-wage positions.

The liberal Democrats make the point as if people lived the rest of their lives making minimum wage. What usually happens is that it is the first job that you get, either as a teenager or right out of high school, and it is your first job right off of welfare, and that is your entry level job, and you gain skills by working on the job and then move on to higher pay. In life you have to learn, you must learn to crawl before you can walk, and you must walk before you can run. Similarly, you must gain experience doing the tough work before you can move on to better paying, more complex positions.

Raising the minimum wage takes away that opportunity to realize the American dream for too many citizens. As a former small business owner, I know that raising the minimum wage will kill jobs. But do not just take my word for it. Bruce Johnston of the Chamber of Commerce said this:

Raising the minimum wage is a recipe for more unemployment where America needs it the least, in inner-city neighborhoods and among the rural poor.

In Europe, where they have huge and high minimum wages, they have locked

in unemployment at 11 percent, at 15 percent, and, in Spain, about 20 percent. They have locked it in because they have set such a high wage that the people will not, and raised the labor costs so high that they will not create jobs to bring on people in the entry-level positions.

Joseph Stiglitz, who the gentleman from California has just quoted, the chairman, the chairman of President Clinton's Council on Economic Advisers, said this: "A minimum wage does not seem to be a particularly useful way to help the poor."

The Democrat Leadership Council, a group often used by President Clinton to promote his themes, said in a statement, "Increasing the minimum wage is the wrong strategy to promote the goals of helping people work their way out of poverty in raising living standards and in reducing inequality." And President Clinton, the President himself, has said raising the minimum wage is the wrong way to raise incomes of low-wage workers.

Why is this the case? Why all of a sudden is the President interested in raising the minimum wage when he had the House and the Senate for 2 whole years? All of a sudden in an election year, just 6 months before the November election, they have seen the light.

Why is this the case? Why does not the minimum wage really work in helping low-wage workers? Here are some reasons:

According to the Democrat Leadership Council, the President's own favorite think tank, the vast majority of minimum-wage workers are in families that do not need public wage supports because their incomes are well above the poverty level. Seventy percent of minimum-wage workers are families well above the poverty level, and nearly 40 percent are in families with incomes of the top half, the top half of the Nation's income distribution.

More than 75 percent of all poor Americans are ineligible for the minimum wage and would not benefit from an increase. These are people who do not get the minimum wage, for a variety of reasons, including they do not work, they already earn more than the minimum wage, but only work part of the year, or they may be self-employed, or they work in jobs not covered by minimum-wage law.

The costs of an increase in the minimum wage would hit the poor the hardest.

Now, this is coming from the Democrat Leadership Council, the President's think tank. The cost of an increase in the minimum wage would hit the poor the hardest. The vast majority of the poor and the poor families would have to pay higher prices brought on by an increase in the minimum wage. Increasing the minimum wage would produce a regressive transfer, making poor people a little worse

off in order to improve the lives of people who are not poor.

And I submit to my colleagues standing here on the floor of the House that one of the reasons that we are hearing all of this call for the minimum wage is because the Washington union bosses know that their contracts are coming up and most of their contracts are tied to the minimum wage. Therefore, if they can get the government to raise the minimum wage, they will be able to easily raise the wage to union workers.

According to the Employment Policies Institute Foundation, if the Federal minimum wage were to increase to \$5.15, America would lose 625,600 jobs. Now, my friends, that means that there will be 625,000 fewer opportunities for Americans to get a start on seizing the American dream.

Some say that any negative impact on hiring is a small price to pay for higher wages. These are the people that claim that they work and protect the poor. They say that while we may hurt a few people, we will help many, many more. Well, unfortunately, the facts suggest otherwise. Even workers who keep their jobs after an increase in the minimum wage will be worse off.

Workers are not paid solely in terms of cash wages. Even minimum-wage workers receive fringe benefits such as on-the-job training, flexible work schedules, commissions, bonuses, and employee discounts. When employers are forced to pay higher wages, they will have to reduce the value of these nonwage benefits in order to remain competitive.

Students show that for every 10-percent increase in the minimum wage, workers are made 2 percent worse off. That means that the proposed 90 cent increase in the minimum wage would reduce the other fringe benefits by \$1.08. The affected workers would be 18 cents per hour in the hole after the Democrats get through with them. With friends like that, who needs enemies?

But the worst part of this unfunded mandate is the impact on the underclass, the underprivileged, of this country. Raising the minimum wage expands the number of people in the underclass while killing opportunities for people to escape it.

These are the people, the liberal Democrats, who voted and tried to kill welfare reform and said many, many times in the well of this House that our welfare reform that eliminates entitlements, saves money to taxpayers but, more importantly, forces welfare recipients to go to work cannot happen because there are no jobs out there. Yet, now get the irony of this, they are against welfare and asking able-bodied welfare recipients to stay on welfare because you cannot get off of welfare and go to work because there are no jobs out there, and then on the other

hand they want to raise the minimum wage so that there are no jobs out there. And what happens, and what I know as a former business owner, I understand how businesses think.

This is not helping. Raising the minimum wage is not opposed by small businesses because it helps small businesses keep wages low. The victims are the underprivileged. The victims are the people on welfare. They are the true victims because when the cost of labor goes up, which will happen when the minimum wage is increased, the small business owner will look for alternatives to remain competitive. Instead of hiring a person to wash dishes at a minimum wage, the small business could very well go buy a dishwasher if the price of that real person gets too high. That is how the market works.

Now, if you want to, and I am trying to remember the quote: not to everyone according to their wants, but to everyone according to their needs, as the gentleman from California [Mr. MILLER] suggests, is that the Government, or the market, should give different wages for different people. If he has three cooks working at the same restaurant, and one cook is single and one cook has a family with two children and one cook has a family with 11 children, yet they all three do the same job, they ought to be paid differently because they need more money. Then what would that do to our economy? What would that do to the opportunity of having more jobs for everyone out there to compete for? And what would that real person do?

Well, if too many of these entry-level jobs are eliminated, that poor person might very well go on welfare, and instead of getting people off of welfare and working in entry-level jobs, gaining the experience and the knowhow necessary to make it to higher-paying jobs, we will have people enter the underclass unable to participate fully in our economy, and obviously the liberal Democrats want to keep them there. They want to keep them there.

□ 2015

In fact, according to a study of the Employment Policies Institute, based upon the Census, mothers on welfare in States that raised their minimum wage stayed on public assistance an average of 44 percent longer than welfare mothers living in States that did not raise their minimum wage.

The gentleman from New Jersey was very eloquently talking about New Jersey has a real high minimum wage. They also have a huge welfare roll, because these jobs for entry level people, jobs that would be available for people who want to get off of welfare, are not there because labor costs are too high and artificially kept high because New Jersey's government decides that they will set the wages just by arbitrary means.

If it makes sense to have a \$6 minimum wage, why not have a \$20 minimum wage, and just raise it and let us all decide that we are all going to make the same thing. We are being accused, as Congressmen, for making too much money; that we are making \$133,000 a year and we are against the minimum wage, how terrible that is. Well, we are in Congress. We work at a different job. What we want and what we feel strongly about are those that are in poverty, on welfare, and hopefully getting them to understand the dignity and the self-esteem that is gained by holding a job. It is no small irony that the party that vetoed welfare reform now proposes to expand the welfare state by increasing the minimum wage.

Mr. Speaker, I just urge the American people to take notice; liberal Democrats favor efforts that will expand the underclass while vetoing efforts to end it. I do not believe that the Federal Government should be actively limiting the opportunities of the American people.

Of course, we should not be surprised by this newest policy initiative of the House Democrat Caucus. They make the Luddites look progressive in their economic theory. But the American people are tired of fighting over a shrinking pie. They want policies that will lead to a growing economy, better job opportunities, a greater chance to capture the American dream.

It is not surprising that liberal Democrats are fighting for an increase in the minimum wage, just as they fight against comprehensive welfare reform; that they battle to preserve the welfare handouts while fighting against an economic growth agenda is part and parcel of their efforts to bring greater economic equality to the American society. This is no theory, this has been going on for years. Just look at history.

But is equality of misery really better than the equality of opportunity? I do not think so. Fighting for greater opportunity means giving the private sector the tools to create jobs. It means lowering the costs of job creation, and it means encouraging small business expansion. Increasing the minimum wage has exactly the opposite effect. It takes away the important tools that create jobs. It increases the cost of job creation. It encourages small business retrenchment. It is simply the wrong answer.

But the question remains, how do we increase opportunities for lower-wage workers? Let me just sketch out briefly several ideas that would lead to a boom in economic growth and opportunity and more jobs available to those trying to come into the job market.

Number one, enact commonsense regulatory reform. Reducing the costs of labor and capital will give companies more opportunities to pay the government less and their employees more. It



will also lead to the creation of more small businesses and more jobs. Yet, that side of the aisle opposed us every step of the way on commonsense regulatory reform.

Enact commonsense welfare reform. Welfare is now more profitable than work in most States across this country. In Hawaii, for example, the average welfare recipient receives the equivalent of \$17.50 an hour. In my own State of Texas, that number is more than \$7 an hour. But welfare is a dead-end road that leads not to the American dream, but to a nightmare of dependency and despair. Rewarding work, rather than welfare, is a necessary component to economic growth.

Get rid of the Internal Revenue Service. There is no bigger job killer than the IRS. We need a simpler tax system that does not drain the critical resources away from businesses that can create jobs.

Target relief for families. Give parents with children relief, to help them achieve certain acceptable standards, while maintaining job opportunities for those who simply want a chance at the American dream. By targeting subsidies to families who are supported by entry-level jobs, we would not put an unfunded government mandate on small businesses, but, rather, give a refund to parents who work hard to provide for their children. In fact, Republican proposals to enact the targeted relief will yield far greater benefits to working Americans than a simple mandate to raise the minimum wage; relief that goes on for years and years and years.

Mr. Speaker, I just urge my colleagues who support the expansion of the Federal minimum wage for entry-level workers to rethink their position. Will an increase in the minimum wage help lower-wage workers? The answer is no. Will it improve American competitiveness across the world? The answer is no. Will it lead to greater economic growth? The answer is no. Will it increase opportunities for the poor? The answer is no. Will it help small businesses grow? The answer, once again, is no.

Should we blindly increase the minimum wage to help Washington labor union bosses achieve their anti-growth goals? The answer is no. That leads me to the real reason why the Democrats are pushing for an increase in the minimum wage. The reason is pure partisan politics. Let there be no mistake about it; if big labor did not want a mandated minimum wage increase, we would not be discussing this issue today. Indeed, when Democrats ran the Congress and the White House a year and a half ago, they did not do anything to raise the minimum wage. Back then, they knew this would hurt job creation. Back then, they knew this would slow economic growth. Back then, they knew this was a misguided policy.

But now, in this political year, with big labor giving them big money to buy big ads, we have this sudden push for an increase in the minimum wage. Mr. Speaker, a political payoff is a lousy reason to limit opportunities for entry-level workers, for poor workers. We must say no to the minimum wage increase. This is not the time for the United States to take away the American dream from so many people who just want a chance to achieve it.

#### A TRIBUTE TO THE U.S. ARMY RESERVES

The SPEAKER pro tempore (Mr. COLINS of Georgia). Under the Speaker's announced policy of May 12, 1995, the remainder of the majority leader's hour is designated to the gentleman from Kentucky [Mr. LEWIS].

The gentleman from Kentucky is recognized for 25 minutes.

Mr. LEWIS of Kentucky. Mr. Speaker, I rise tonight to pay tribute to the men and women who serve in our U.S. Army Reserves. Today, April 23, is the 88th birthday of the U.S. Army Reserves. I hope the American people pause for a moment to reflect on the contributions of the more than 600,000 soldiers in our Selected and Ready Reserve Forces.

For less than 6 percent of the total Army budget, reservists help fellow Americans with floods, hurricane, and other emergency relief; support peace operations in Bosnia, Somalia, southwest Asia, and Haiti. More than 3,000 Army reservists are in Bosnia. They help with counternarcotic operations in South America and elsewhere. They do a tremendous job for this country.

From the early stages of our Nation, Americans have served as citizen soldiers. Indeed, it was ordinary men who left their jobs and fired the first shots of the Revolutionary War. We had no standing Army then. Eventually this citizen militia gave way to trained reservists who have served proudly in wartime and peacetime for more than 200 years.

Today's Army reservists are a highly trained, highly motivated group. Many of them hold down full-time jobs with families, and then offer their services one weekend every month and an additional 2 weeks each year. Even then, they never know when they will be called upon for greater sacrifice. This is nothing to take lightly in the post-cold-war era, not when we have reservists in Bosnia and a number of other dangerous places.

Mr. Speaker, let us also pay tribute to the employers of today's reservists and National Guardsmen. I am sure some of them are occasionally inconvenienced when a valuable employee changes uniform for a weekend or 2 weeks or longer. The men and women who employ our reservists and guardsmen also play a part in their valuable

mission, and we should thank them for their heroic and patriotic contribution.

Mr. Speaker, let me close by recognizing the contributions of a valuable Reserve unit in Kentucky's Second Congressional District, the 100th Army Division. Though its name, mission, and even headquarters has changed over the years, these soldiers have served proudly for 78 years. They just missed action in World War I, but were critical components to our armed services in the Battle of Europe during World War II. They helped capture many towns, took nearly 6,000 prisoners, and three "Century Division" soldiers were awarded the Medal of Honor.

In January 1991, more than 1,100 soldiers again went to war in Operation Desert Shield and Desert Storm. The 100th Division truly represents the finest tradition of volunteerism in our country. These men and women have all the responsibilities and challenges most of us face every day, but for 30 days and often more each year they shed their business suits for cammies and fatigues. I am proud to pay tribute to our Army reservists and National Guardsmen on their 88th anniversary, and to their families and their employers.

Mr. Speaker, I yield to my good friend, the gentleman from Indiana [Mr. HOSTETTLER].

Mr. HOSTETTLER. Mr. Speaker, I thank my friend, the gentleman from Kentucky, for this opportunity to celebrate the citizen soldier; the citizen soldier that goes to the very heart of America. The heart of the Reserves is the heart of true Americans, and I congratulate the Army Reserves on its formal 88th birthday.

However, I think it is appropriate to note that the spirit which drives what we now call the Army Reserves is the spirit upon which America was founded over 200 years ago. When the British garrison at Boston marched against the Massachusetts provincial military stores at Concord on April 18, 1775, the citizen soldiers at the Massachusetts militia gathered together to drive them back into the city. These patriotic Americans realized that if they did not take it upon themselves, their values, faith, and livelihood were in jeopardy.

Fortunately, since the time of the War of Independence, America has always had citizen soldiers ready to protect the liberty we value in America. The Reserves and National Guard are special. I do not want to detract from our professional active services. They are certainly needed, and we could not maintain our defenses without them.

But I must confess that there is something special about America's Reserves and the Guard. There is something special about taking the butcher, the mechanic, the engineer, the pilot, men and women who would, in other

times, be at home with their children, mowing the lawn and washing the car, and suddenly whisking them into action as needed by their country.

There is something special about men and women who do not feel led to pursue the military as a career, but feel strongly enough about their country to be there when needed; people who agree, for modest benefit, to train on a regular basis and develop the necessary skills to operate today's modern war fighting machines. The Reserves and Guard are critical to America. The Reserves and the Guard are absolutely necessary if America is to maintain the level of security that we have been accustomed to.

□ 2030

We simply cannot financially maintain our force structure without them. However, even if we could afford to maintain our defenses only with active forces, I am not so sure that this would be the best idea. We must allow Americans the opportunity to be able to stand up and be counted. We must allow them to say, "I will be there if you need me." And frankly, under today's force structure we need them more than ever, which is perhaps our country's highest possible compliment to the Guard and Reserves. Thank God there are Americans who continue to volunteer.

Tonight, I salute the Guard and Reserves. I also salute those employers who work so hard to enable their employees to serve. America would not be the same without them.

I thank the gentleman again, RON LEWIS, for this opportunity to speak.

Mr. LEWIS of Kentucky. Mr. Speaker, later this week I will be introducing a resolution to honor the men and women in all our Reserve forces, and it will call upon the American people to honor the families of employers and all those who assist reservists in their valuable mission. I encourage all Members of this body to honor our reservists.

I now yield time to the gentleman from Indiana [Mr. BUYER], who is a major in the Reserves, and we certainly appreciate him coming tonight.

Mr. BUYER. I thank the gentleman from Kentucky very much for yielding me time. Also let me compliment both of the gentlemen, who are valued members of the Committee on National Security. The support by the gentlemen of the total force concept in this Nation is to be congratulated, and I appreciate your service.

Actually, gentlemen, kind of what was going through my mind as I listened to both your comments is that while time marches on, there are certain values and principles which most of us hold dear, which are ageless, and that is duty, honor, and country. They are ageless.

When I think of the citizen soldier, the citizen soldier was a concept that

was brought about by General George Washington who presented it, the idea, before a congressional committee created by Alexander Hamilton in 1783. So it has been a concept and principle that has been with us for a very long time.

The other thought that was going through my mind as I listened to both of the gentlemen is that there are many things and there are many places which define our national character, our struggles and our triumphs, from the revolution that the gentleman from Indiana [Mr. HOSTETTLER] mentioned, where enraged revolutionaries first ran at Lexington Green.

We do not like to talk about that, though, do we? It is interesting, we forget about that part. But they first ran at Lexington Green to the Old North Bridge in Concord, Massachusetts. It marks the spot where merchants and farmers actually grabbed the muskets and took a stand. That is why the Old North Bridge now is so famous, is because that is where the first stand was taken. They challenged the British army on April 19, 1775.

So from the Civil War to the Spanish-American War, World War I, World War II, Korea, Vietnam, the Gulf War, a lot of these peace operations that are about, whether it is Somalia or Haiti or in fact in Bosnia, that the gentleman from Kentucky [Mr. LEWIS] in fact mentioned, the Reserves have been there. They are citizen soldiers who have answered the call to duty.

But when I said nothing defines our national character more, it is the individual who steps forward to answer the call to duty. The easiest thing when an individual is called is to say, "I am too busy," or "I have got other things to do. I have other commitments. I have my family to take care of. I have my business to take care of. Oh, the Nation, you do not need me."

We, as a nation, struggled through that during the Vietnam era, where there were many that disagreed with the war and chose their personal values over that of the country or the national interest at the time. But when I said nothing defines our character more, I think it has to do with through the emotions of war, because why is it that the soldier serves?

The soldier serves for the protection of the liberties, the freedoms, the economic opportunities, the sense of equality, justice, and equity from a free society. These are men and women that said, "Yes, we will protect the motherland of America, but we will also protect the vital national security interests of the United States," which goes far beyond the continental borders of the United States.

War has been with us through the ages of time, and from those of whom have participated and others of whom have witnessed, stories have been told and have been written, each capturing some form of glory about war, but war

may not be glorious in verse or prose. In reality, it is the soldier, it is the airman, it is the marine, sailor, whether they are on active, whether they are a guardsman, whether they are a reservist.

They are the individuals who answered the call to duty, a sense of honor and commitment to country, and they have felt the cold stings of battle. They have witnessed new levels of fear and new levels of courage that mankind would never witness had it not been for the theater of war. They see the long dark shadow afore, and they have challenged and spat into the face of death.

War is not glorious. But what the writers seem to try to capture is that citizen soldier who answers the call to duty, left their family, and felt new levels of fear and courage that could only be felt as exhibited from the American character.

That is what is exciting. That is why my two colleagues have come here today to say happy birthday. What they are saying, really, happy birthday because they are paying tribute to many men and women who have answered the call to duty who are a cut above, because the easiest thing is not to participate. The easiest thing is to sit at home and to reap the reward and benefit of a free society without the responsibility.

It is common, everyday people called upon to perform uncommon acts of valor, and we witness that in a theater of war, but it does not necessarily take a war to define it. We also see it as individuals in our society respond to natural disasters. We have that, we have seen that.

But we are here talking about the Army Reserves, and I congratulate the gentlemen for coming to the floor to discuss that.

Mr. LEWIS of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. BUYER. Mr. Speaker, I yield to the gentleman.

Mr. LEWIS of Kentucky. Mr. Speaker, I think as the gentleman mentioned, we see these men and women not just willing to sacrifice themselves to go to war, but they are usually the very people that are willing to help out in any area, in their church, in their community. They may be volunteer firemen, and they may be whatever they need, they are usually there willing to help, help their community. They are there to look out for the best interest of what is good in our society.

Mr. BUYER. Mr. Speaker, if I can reclaim my time.

Mr. LEWIS of Kentucky. Yes.

Mr. BUYER. I think the challenge of those responsibilities that we face on the Committee on National Security is that in this new modern era, I guess that post-cold-war era, we have such greater reliance now as the force has been downsized. Our belief in the total



force concept places great stress on the Reserve system and that of the National Guard.

We have to be forever mindful and thoughtful with our hearts with regard to the stressors that we are placing upon the employers that both of the gentlemen mentioned, upon the families. Take the Air force Reserve, for example. It is not like advertisements where they say well, it is 1 weekend a month and 2 weeks in the summer or some plan. They are spending so much time now with that Reserve commitment that employers are being stressed and it is a great stress on the family, and we have to be forever mindful with regard to how we take care of the Reserves so we can keep quality men and women in the reserves.

Mr. HOSTETTLER. If the gentleman will yield, as we have discussed and debated the issue of the force structure drawdown for the active duty forces, one thing that I have noticed is absent from all of this, and that is the fact that there are no complaints from the Reserve components of our national security system, no complaints about having to be more active, having to be more accessible, more available for our national security needs. I think that goes to the heart of the points the gentlemen have made, especially earlier in their comments, is that they do have this sense of duty to country, and even at a time when we are using them at the most elevated levels probably in their history, except for the Revolutionary War, there are no complaints. It is strictly, "I will be there when I am called."

Mr. BUYER. Makes you feel good, does it not?

Mr. HOSTETTLER. Sure does.

Mr. BUYER. I think America right now can be very proud of the Reserves and the Guard as they stand side-by-side, toe-to-toe with the active forces. We have a total force concept today that works. Sure, there are areas for which we can try to work out those differences, but I stand here in the well of the U.S. Congress giving assurance to the American people that they have a quality force.

We can discuss whether or not it is of the correct size, whether it is prepared and the readiness, and those are debates that we have with the administration, but there are individuals who came before us who laid the groundwork which we are very proud of. There is an individual, he is going to be leaving us soon, but we are ever mindful reverent and respectful for the gentleman from Mississippi who has laid a lot of groundwork with regard to making sure that the total force concept and the volunteer force works.

I yield back my time to the gentleman from Kentucky.

Mr. LEWIS of Kentucky. I would like to yield now to the gentleman that Mr. BUYER was just mentioning, a great

American, a gentleman that has given his heart in service to this country and to the great group of men and women that make up the National Guard. I would like to yield now to our friend, the gentleman from Mississippi, SONNY MONTGOMERY.

Mr. MONTGOMERY. Well, I thank the gentleman for giving me this time. I was watching the three gentlemen and I was very, very impressed, the gentlemen from Kentucky, from Indiana and Indiana, by what they said tonight. It is close to my heart. I have been a citizen soldier all of my life and very, very proud of it most of my life.

I have worked with the three gentlemen on the Armed Services Committee for a number of years, and it has been a real privilege to be a part of the citizen soldier and the National Guard and Reserve. Finally, thanks to the gentlemen and others, we do have the total force that is now working.

Like some of the Members, I just returned from Bosnia and Germany, and without the guardsmen and reservists they could not make it over there now. Today we are talking, and the other gentleman from Indiana, we are talking about military construction, about the problems of funding for the National Guard and Reserve.

It was pointed out in this construction bill for next year recommended by the Defense Department, 3 percent of those funds will go to the National Guard and Reserve for construction. That is not enough. If we are going to keep a strong defense and citizen soldiers, they are going to have to get more funding on military construction and also on equipment.

But that was pointed out today. It is distressing. They are going to have to, the Defense Department is going to have to share and these assets. The Guard and Reserve have between 35 and 40 percent of all the missions of our Defense Department, so they do deserve fair treatment.

Thank you very much for doing this. This is a wonderful idea to let Members, our colleagues, know how important the citizen soldier is. I thank the gentleman very much for yielding me this time.

□ 2045

Mr. BUYER. If the gentleman will yield, let me just say, SONNY, when I look back, I am going to look back with warm memories of having served in this Congress with you. You are really one of the true statesmen that serve in this body. I want to recognize you for that.

Also I want to share with you, I read a passage not long ago, you are one of the American heroes. You landed there at D-Day and you marched across Europe, and I read a passage, a story about the policing of the battlefield. As a battlefield in Europe was policed of the dead, they came upon a body where

there was no one around to listen to a soldier's last words. He pulled out a pad and wrote his last words down on a piece of paper and it was found. And it said, "When you go home, tell them that I gave this day for their tomorrow."

It is very powerful. There are many people, unfortunately, that take our freedoms and liberty and economic opportunities for granted. That is unfortunate. But hopefully people will begin to recognize that there are men and women who serve in the Army Reserve, in the National Guard, who are committed to duty, honor, and country, and recognize that upon their first breath was free air, because of the sacrifices given by a lot of people who came before them.

General Patton went and paid homage at a cemetery there in Europe, and he said "I didn't come here to pay homage that they died; I came here to pay homage that they lived." And that is what is exciting. That is the rejoicing part, that we have men and women in the Army Reserve and the National Guard, that we stand here tonight to celebrate their service to country, out of their value and commitment to freedom and liberty and preservation for future generations.

SONNY, you are one of my heroes. Thank you.

Mr. LEWIS of Kentucky. I just wanted to say in closing tonight that I agree with you, SONNY, 100 percent, that if these men and women are going to be willing, and they are always willing, to serve their country, we need to be willing to meet their needs, to make sure that they are provided for, to make sure that we are able to recruit and to keep fine men and women in our reserves and National Guard and in our active military.

#### FEDERAL TAX DOLLARS AT WORK

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the Chair recognizes the gentleman from Illinois [Mr. POSHARD] for 60 minutes, as the designee of the minority leader.

Mr. POSHARD. Mr. Speaker, in a few weeks back in Illinois we will get a property tax bill from the county assessor, and it will tell each of us who owns property in Williamson County, where I live, or in any other county in Illinois, and I suspect this is true across most parts of this country where property taxes are assessed and paid, it will tell us to the penny precisely what our property taxes get for us. It may very well tell us that out of the, let us say, \$2,000 of property taxes that person might pay, that about \$1,500 of that is going to our local schools. Maybe \$50 of it is going to country law enforcement. Maybe \$15 is going to the local airport authority for our airport. But it will be detailed so

that we know precisely to the penny what every penny of our property taxes is getting for us as a taxpayer in that county.

Thinking about that I thought, well, why do we not attempt to give the folks in this country some idea about what their particular Federal taxes are buying for them by their Federal Government.

We do not get a printout like that to tell us that so much of the taxes that you pay into the Federal Government are going to pay for the defense of this Nation or for the health care of our elderly. We do not get any kind of tax bill to tell us that so much of your tax dollar is going to educate our children or to build our roads, or anything else. Agriculture research, science, space and technology, protecting the environment, we do not know as a people just exactly what percentage of our Federal taxes go to support any function of government.

But we hear all kinds of things. In fact, there was a survey done just recently that was printed in newspapers all over this country, and they asked a number of American citizens what percentage of the Federal budget do you believe is spent on foreign aid? and the most common answer given was 30 percent.

Can you imagine that, that American citizens think the Federal Government is spending 30 cents of every tax dollar that they send to Washington, sending it abroad to foreign countries? That is what they thought. And there is probably a good deal of people in this country that feel that way.

Well, we got to thinking about this, my staff and I, and we said, "Why don't we do in the best fashion we can what the county does for us back home with our property taxes? Why don't we try to give the American people some idea of what their Federal taxes are buying for them?"

So, we began working with the Congressional Budget Office, with the Congressional Research Service, with the Library of Congress, and the Budget Division and so on, and we have come up with a procedure that we think is pretty accurate to help the American people understand just as well as we can what their tax dollars are buying for them that they send to Washington.

I just want to discuss that with the American people tonight. I am not here to try to debate with anyone about whether they feel this is the best way to expend our Federal dollars. I am just here to try to provide some information on a factual basis, rather than a mythical basis, what the Federal tax dollar buys for our people.

We have had a lot of folks in the last week or so come down here into the well of the House and say to the American people, "Well, this year you are working until May 7 to send your money to Washington to pay taxes for

the Government," as though you are working until May 7 and not getting anything out of the tax dollars that you send to Washington. It is as if you send them here and they go into some black hole and they disappear forever, and they do not help anybody with anything.

Well, that is not a fair way to present it to the American people. If we want to be honest with the American people, we ought to tell the other half of the story. We ought to say, here is what your tax dollar buys for you. Now, you may disagree with us, you may disagree with the percentage of your tax dollars that go to certain services that are provided for the American people with it. But you must know that there are many services that are provided for the American people with your tax dollar. You have a right to know what those services are and the proportion of your tax dollar that goes to pay for them.

That is what I want to discuss with you tonight. Now, over here to my right I have several charts. I need to back this up so I can see it a little bit, and I am hopeful that the cameras can pretty much stay on these charts as I begin to explain this to the American people.

The first thing I want to talk to you about are the revenues that come into the Federal Government. In the last year that we have calculated these things, which is fiscal year 1995, how many revenues come in, and where do they come from.

Well, as you can see, the greatest percentage of Federal revenues come from the individual income taxes, which totaled about \$590 billion, or 43.6 percent of the Federal revenue.

The next largest proportion that came in came from social insurance taxes and contributions, about \$484 billion, or 35.7 percent of the total revenues to the Federal Government.

Now, social insurance taxes include Social Security, Social Security disability, Medicare, railroad retirement, unemployment compensation insurance, and Federal employees retirement contributions. Those together constitute about 35.7 percent of the revenues that come to the Federal Government, or about \$484 billion.

The next highest class of revenues are corporate income taxes, about \$157 billion, or about 11.6 percent of the revenues to the Federal Government.

Excise taxes, which include things such as gasoline tax, jet fuel tax, alcohol tax, cigarette tax and so on, brought in about \$57,484 million, or about 4.2 percent of the Federal revenues.

All other forms of Federal revenues, be it rents, royalties, interest or whatever, are about 4.9 percent of the total taxes or revenues that came to the Federal Government.

This totals for fiscal year 1995 about \$1,355,213,000.

Now, during fiscal year 1995, we took in \$1,355,213,000 and we spent \$1,519,133,000, or we deficit spent about \$163.9 billion. That is, we borrowed that much money to make up the difference for what we spent over what we took in.

Now, that is a lot of borrowing, it is true. But just 3 years ago we were deficit spending \$302 billion a year. We have cut the deficit nearly 50 percent in that period of time. And while we should not make any excuses for the deficit spending, we want a balanced budget, we need a balanced budget, we want to get this down to the point in 7 years hopefully where we spend no more than we take in. We have made great progress on this account in the last 3 years, cutting it by nearly 50 percent in terms of the Federal Government deficit spending.

So the revenues come from individual income taxes, corporate income taxes, social insurance taxes and contributions, excise taxes, and others.

Next chart, please.

Now, what we have done, with the help of the Congressional Budget Office, is we have taken each of the five different divisions of family income in this country, in other words, those families in the lowest 20 percent of family income, in the second lowest 20 percent of family income, in the third lowest 20 percent of family income, in the fourth highest, and the highest 20 percent of family income, and we have calculated the average family income in each of these quintiles.

You can see that among those families who are in the lowest 20 percent of family income in America, the average family income is \$8,500 a year. In those families that are in the second lowest 20 percent of family income, their average family income is \$20,500 a year. In the third quintile, it is \$33,500 a year, which is the average family income nationwide in America. The average family income and those people in the fourth highest 20 percent is \$49,000 a year. And in the highest 20 percent of family incomes in the country, the average family income is \$111,500 a year.

We went back and we calculated the total of all forms of Federal taxes in terms of its percentage for each of these levels of family income averages, and you can see that the average tax rate here includes Federal individual income tax, Medicare tax, Social Security tax, corporate income tax, estate and gift taxes, and all forms of excise taxes, such as Federal airlines, gasoline taxes, cigarette taxes, alcohol, and so on.

□ 2100

Now, in 1981, you can see for the average family income of \$8,500 a year, that family paid a total of 8.3 percent of its average family income in all of these taxes combined. As you go on up to 1990, that rose to 8.9 percent; in 1994



it fell to 5.1 percent, which it remains at today.

So for all four of these quintiles of family income, \$8,500 a year average, \$20,500 a year average, \$33,500 a year average and \$49,000, the income tax rate, which includes all of these together, these Federal taxes, has fallen from, for the lowest quintile, 8.3 percent to 5.1 percent in 1995; the second quintile from 15.3 percent to 14.9 percent in 1995; the third quintile from 20 percent to 19.4 percent in 1995; the fourth quintile, from 23.4 percent to 22.2 percent in 1995; and the highest quintile has risen slightly from 27.4 percent to 27.7 percent between 1981 and 1995.

So with respect to all of the four lower categories of family income, total Federal taxes has gone down; for the highest it has gone up slightly, so that if you are a family in 1995 making an average of \$33,500 a year, you will pay for all of these Federal taxes combined, an average over \$6,499. If you are a family making \$49,000 a year in 1995, all forms of Federal taxes will cost you \$10,878. If you are a family making \$111,500 a year in 1995, all forms of Federal taxes will cost you \$30,885.

Now, what we have done, and we only have delineated here the three family incomes of \$33,500, \$49,000 and \$111,500, the top three quintiles, what we have done, then, is go to the Federal budget and we have applied all of those incomes to each of the broad general functions of the Federal Government. That is the services that the Federal Government provides to each of its citizens, and we have calculated these family incomes to include what percentage of the tax actually goes to each of these functions as well as that percentage in actual tax dollars.

So you can see that the function of Government which takes the highest percentage of our Federal taxes combined is Social Security, to which Americans paid \$335,846,000,000 in fiscal year 1995, which was 22 cents of each tax dollar sent to Washington. And for a family making \$33,500 a year, the average family income in this country, that would have meant a tax bill of \$1,436.50 for Social Security. For a family making \$49,000 a year it would have meant as a portion of their total tax bill of \$10,844, \$2,404 going to Social Security. For a family making \$111,000 a year, \$6,825 of their \$30,000 tax bill goes to Social Security.

So in order of most to least with respect to the amount of your tax monies that go to different functions of Government, this is the order in which you pay your Federal taxes for, going from highest to lowest. Social Security takes 22.1 of your tax dollar. So slightly in excess of 22 cents of each of your total Federal tax dollars go to Social Security.

National defense is the second highest expenditure at \$272 billion. It takes 17.9 or right at 18 cents of each tax dol-

lar that you send to Washington. The net interest on the debt, which today stands at \$4.9 trillion, the net interest on that debt takes 15¼ cents of each tax dollar that the American family sends to Washington, DC.

Income security is the fourth highest expenditure of the Federal Government. That includes general retirement and disability, unemployment compensation, Federal employee retirement, disability, housing, food and nutrition assistance and other forms of welfare. All of those things all together take 14½ cents of each Federal tax dollar. Medicare is the next highest expenditure, the fifth highest expenditure. It takes 10½ cents of each Federal tax dollar. Health is the next highest expenditure. It takes right at 7½ cents of each Federal tax dollar that you send to Washington, DC.

Now, let me point out something here. These top six items, Social Security, national defense, interest on the debt, income security, to include all those things I just mentioned, retirement, disability, unemployment compensation, and Federal employee retirement, housing, food, et cetera, Medicare and health, those top six functions of the Federal Government, take 88 cents of every tax dollar that you send to Washington—88 cents of all Federal tax dollars combined that are sent to Washington are consumed by those top six expenditures.

If you go on down the line, education, training, employment and social services take 3½ cents of your tax dollar; or for the average American family, \$229 of your tax bill. Transportation takes 2½ cents, or \$162 of your tax bill. Veterans benefits and services take 2½ cents, or \$161 of your overall tax bill, if you are a family making \$33,500 a year.

Natural resources and the environment take nearly 1½ cents or \$92 of your tax bill. General science and space technology takes a little over 1 cent on each tax dollar you send out here. Foreign affairs takes a little over 1 cent of your tax dollar that you send to Washington. Administration of justice takes a little over 1 cent of your tax dollar that you send to Washington.

General government, which includes the executive and the legislative branches and other areas that support those, other agencies, takes a little less than 1 cent of your tax dollar, about 91 hundredths of one cent. Community and regional development take about three-quarters of one cent of your tax dollar. Agriculture takes about two-thirds of one cent of your tax dollars. Energy takes about one-third of one cent of your tax dollar. And then you get back about 3.8 or nearly 4 cents in offsets to that through various credits and offsetting receipts to the Federal Government.

That constitutes 100 percent of your tax bill. And all of these things together, education, training, employ-

ment, social services, transportation, veterans benefits and services, natural resources and environment, general science, space and technology, foreign affairs, international affairs, administration of justice, general government, community and regional development, agriculture, and energy, all of those together take 12 cents of your tax dollar. Social Security, national defense, interest on the debt, income security, Medicare and health take 88 cents of your tax dollar.

Now what we want to do is break down each of these general functions of government in a more specific way to show you with some definitive nature here exactly what percentage of your tax dollar goes to each of these functions in a more specific way.

Social Security, which is the No. 1 item of Federal spending, which takes 22.1 cent of each tax dollar, just goes to what it says, Social Security. It is the money that you pay in over a lifetime, along with your employer, to support a person who has reached Social Security retirement age, as well as other disabled people in our country who may qualify for Social Security. For a family earning \$33,500 a year, that amounts to about \$1,436; for a family earning \$49,000 it is about \$2,404; and for a family earning \$111,000 it is about \$6,825.

The second highest expenditure of the National Government, which takes 17.9 or right at 18 cents of each tax dollar you send here, is national defense. How is that broken down? Military personnel take about 4½ cents of your tax dollar for their salaries, for their living and so on. Operation and maintenance of our military systems, about 6 cents of each tax dollar. Procurement of all of the things which it takes to run our military on, about 3.6 cents of each tax dollar. Research, development, testing and evaluation of all of our systems and so on, about 2¼ cents of your tax dollar. Military construction, about ½ cent of each tax dollar goes toward military construction. Family housing takes a little less than ¼ of 1 cent for the housing for our military families.

We have some offsets where the military performs certain functions and makes back about \$2 billion a year in terms of sales of equipment and so on. That is an offset a little bit to your tax bill.

The atomic energy defense takes a little over ¾ of one cent and other defense related activities about ¼ of 1 cent, for a total of 17.9 or about 18 cents of each tax dollar for all of these functions of our national defense spending.

For a family, again, earning \$33,500 a year, that is about \$1,161; for a family earning \$49,000, that is about \$1,944 in taxes; and if you are earning \$111,500, it is about \$5,519 in your taxes.

The third highest expenditure which your Federal tax dollars pay for is the interest on the national debt. As you

can see, the interest on the public debt this year is about \$332 billion, or about 21.88 percent of each tax dollar sent here, and that is offset by some of the on-budget trust funds that we have, which include the transportation trust fund, our black lung trust fund, the Superfund trust funds and so on, which goes specifically to be sent on those items I just mentioned. That is an offset of nearly 4 cents on the dollar. And our off-budget trust funds, which include Social Security, is an offset of a little over 2 cents on the dollar.

So our total net interest paid by your Federal taxes is about a little over 15 cents of each tax dollar, or about \$993 for a family earning \$33,500, \$1,663 for a family earning \$49,000, and \$4,722 for a family earning \$111,500 a year.

Our next highest expenditure is what we call income security spending, and this includes general retirement and disability insurance. This entire category takes up 14.5 cents of each tax dollar which you send to Washington. A little less than  $\frac{1}{2}$  of one cent goes to the general retirement and disability insurance, that excludes Social Security; about  $\frac{1}{4}$  cents goes to pay Federal employees retirement and disability;  $\frac{1}{2}$  cents goes to pay unemployment compensation; about 1.8 cents of your tax dollar goes for housing assistance, run through HUD; about  $\frac{1}{2}$  cents goes for food and nutrition assistance, including food stamps, the Women, Infant and Children Program and so on; and about 4 cents of each tax dollar goes for all other forms of welfare programs.

□ 2115

So about 14½ cents of each tax dollar you send here goes for income security spending, which amounts to, for a family earning \$33,500 a year, about \$941; \$49,000 family income, about \$1,575; and for a family earning \$111,000 a year, about \$4,472.

Next chart, please.

The next highest expenditure of your Federal tax dollar is Medicare. Medicare is the Government-run health care system, as you know, for our elderly. It takes 10½ cents of each tax dollar which you send here to Washington, or, for a family earning \$33,500, about \$683 of your tax total; for a family earning \$49,000, about \$1,144; and for a family earning \$111,000, about \$3,249 of your total tax bill will support Medicare spending in this country.

Next chart, please.

The next highest level of Federal spending is health spending, which includes health care services, including Medicaid. This entire category takes up about 7½ cents of each tax dollar you send here. Medicaid gets about 6.7 cents of that.

Health research and training, about three quarters of 1 cent to keep us in the forefront of the best health care provisions in the world.

Consumer and occupational health and safety including the functions of OSHA, get a very small amount, about 12/100ths of 1 cent of each tax dollar.

Total combined for Medicaid, health research and training, for consumer and occupational health and safety, about 7½ cents of each tax dollar that you send here. For a family making \$33,500 a year, that is \$492; for a family earning \$49,000, that is \$824; for a family making \$111,500, it is \$2,341 that go to these functions.

Next chart, please.

Let me remind you of one thing. Those six categories of Federal spending that we just talked about from Social Security, national defense, interest on the debt, Medicare, income security and health spending, consume 88 cents of each tax dollar that you send to Washington, DC.

Now we get into the last 12 cents of each tax dollar that you send here.

Education, training, employment and social services spending consume 3½ cents of each tax dollar that you send to Washington. About 1 cent of that goes to elementary, secondary, and vocational education; mainly to vocational education because we at the Federal level assume a major responsibility for helping to finance vocational education in our high schools, our communities colleges and so on.

The higher education gets a little less than one cent of each tax dollar you send here, and most of that goes to student grant and loan programs and work-study programs to try to help our students get through college. That amounts to about \$14 billion a year.

Research and general education aids get about 13 hundredths of 1 cent of each tax dollar. Training and employment, which is very important for our country because we have a turnover of people in our jobs and employment throughout this country, people get laid off, they lose their jobs, they need to be retrained, re-employed at another job. We spend about \$7 billion, or about a half of 1 cent of each tax dollar that you send to Washington, on that function.

Other labor services, including the NLRB and those agencies and so on, about a 6/100ths of 1 cent, and the social services that we provide, including mental health and other kinds of things at the Federal level, less than one cent of each tax dollar that you send here.

So for all of these things: elementary, secondary and vocational education, higher education, research and general education aids, training and employment, other labor services and social services, we spend 3½ cents of each tax dollar that you send to Washington. For an American family making \$33,500 a year, that is about \$229 of your tax bill; for a family making \$49,000 a year, that is about \$384 of your tax bill, and for a family making

\$111,000 a year, that is about \$1,090 of your tax bill on education training employment and social services.

Next chart, please.

The next expenditure is 2½ cents of each tax dollar you send here goes to support the transportation system in this country. I think this is personally one of the biggest bargains the American people can possibly get. This comes in to the Federal Government in the form of excise taxes on gasolines and other types of energy consumption. We spend 1.6 cents of each tax dollar you send to Washington for ground transportation, maintaining the largest network of interstates in any country in the world, maintaining State roads with part of the Federal funding that we send through the States, and we do that for 1.6 cents of each tax dollar that you send to Washington. We spend two-thirds of 1 cent on air transportation, maintaining the greatest network of airports, of airport safety, of air transportation in any country in the world, two-thirds of 1 cent of each tax dollar. We spend about 1 quarter of 1 cent for water transportation, maintaining locks and dams and the things that move our commercial commerce goods and services up and down the rivers of this Nation, one-quarter of 1 cent. And other forms of transportation, less than 1 one-hundredth of 1 cent.

A total of 2½ cents of every tax dollar you send to Washington maintains ground, air, water and other forms of transportation. If you are a family making \$33,500 a year, that is a \$162 a year; a family making \$49,000, that is \$271 a year; a family making \$111,000, that is \$772 a year from your tax bill.

Next chart, please.

The next highest expenditure is for veterans benefits and services. We spend 2½ cents of your tax dollar to support our veterans. How do we do that? One-and-a-quarter cents goes for income security for veterans, retirements, pensions and so on. Seven one-hundredths of 1 cent goes to veterans' education, training, and rehabilitation. A little over 1 cent goes to veterans' hospital and medical care. A very small portion goes to veterans' housing, and other benefits and services take an equally small portion; 2½ cents of your tax dollar goes to support veterans benefits. For a family making \$33,500, that is \$161 a year; for a family making \$49,000, that is \$269 a year; for a family making \$111,500, it is \$765 a year.

Next chart, please.

Our next highest expenditure, taking up about 1½ cents of each tax dollar that you send to Washington, is our natural resources and environment spending. To protect the environment, to conserve our natural resources, we spend about 1½ cents of each tax dollar that you send to Washington, and how is that spent? One-third of 1 cent goes to protect our water resources. One-



third of 1 cent goes to conservation and land management. Through our Federal Bureau of Land Management, managing all the Federal lands that we own throughout this country, our recreational resources take up 18/100ths of 1 cent.

Now, you can take your family to the Grand Teton National Forest today, you can take them to Yellowstone National Forest, you can bring them here to Washington, DC, and spend 3 weeks. It will cost you \$5 a carload to go through those great national forests which our tax dollars manage for recreational purposes for our people. It costs you nothing to go through the museums here in Washington, DC, and the Smithsonian, which we manage. All of those recreational things combined, including our lakes, et cetera, cost a family making \$33,000 a year \$11.70 a year in their Federal taxes. If you are making \$49,000, it costs you about \$19.58.

So, for all of these things, including pollution control and abatement, which we spend about a half of 1 cent of your tax dollars on, for all of these things combined, water resources, conservation and land management, recreational resources, pollution control and abatement, and protecting our other natural resources, we spend 1½ cents of every tax dollar you send to Washington. I think that is a tremendous bargain for the American people.

Next chart, please.

The next highest expenditure is a little over 1 cent of your tax dollar; 1.10 hundredths of a percent goes to general science and space spending. We spend one-quarter of 1 cent on science and basic research, maintaining government laboratories, maintaining grant researches in our major land grant universities and private universities across this country, which has kept this country on the cutting edge of technologies from aviation technology to computer technology, areas in which we lead the world, contribute to our commerce, to jobs for our people. We spend, for the family making \$33,000 a year, \$17 of your tax bill goes to support science and basic research. NASA gets a little over three-quarters of 1 cent, space flight research and other supporting activities of NASA.

There are thousands of products that have spun off of the research that NASA has performed over the years in our general space exploratory activities in this country that have accrued to the benefit of private industry in this country and to every public citizen, and for a family making \$33,000 a year, that is about \$53 of your Federal tax bill.

So for general science and space spending we spend a little over 1 cent of your tax dollar for all of that combined.

Next chart please.

International affairs spending. To support our efforts in the international

community, which includes international development and humanitarian assistance, international security assistance, conduct of foreign affairs, foreign information and exchange activities, and our participation in international financial programs, we spend a little over 1 cent of each tax dollar.

□ 2130

What is this? Half of 1 cent, or nearly half of that money, goes to international development and humanitarian assistance. When the deserts are consuming Africa and rolling over the only arable land we have to feed people there, and famine is across the land, and disease, and hunger we send food. We send medicine.

When the Ebola virus is threatening to kill people in other parts of the world, we send medical technicians who shut it off, who try to trace down its origins. When AIDS and other things threaten to ravage countries, we help. That is part of who we are as a country. We spend one-half of 1 cent of each tax dollar for that kind of international humanitarian assistance as the greatest economic, military, and democratic power in the world.

International security assistance. This includes peacekeeping operations, nuclear disarmament approaches, military loans, et cetera. One-third of 1 cent of your tax dollar goes to support international security assistance.

Conduct of foreign affairs, the State Department, a quarter of 1 cent of your tax dollar goes to our State Department to carry on its functions.

Foreign information and exchange, about nine one-hundredths of a cent, and our participation in our international financial programs returns about \$2 billion a year in forms of interest to us. So for a little over 1 cent on the dollar, we engage in these activities as a leading international power in the world. Most Americans think we spend 30 cents of every tax dollar on this alone.

In the next chart, the next expenditure is the administration of justice. The Justice Department and its various activities takes a little over 1 cent of each tax dollar that you send here. Federal law enforcement activities, a little less than half of 1 cent. Federal litigative and judicial activities, including our U.S. attorney's offices, the people who speak for us in the government in prosecutorial areas, a little less than a half of 1 cent.

Federal corrections activities, including our Federal corrections systems and our criminal justice assistance, including legal services and so on, a little over 1 cent of each tax dollar goes to support our justice spending in this country.

In the next chart, general government spending is the next category of Federal spending. It takes up less than

1 cent of each dollar that you send here. The legislative functions of the Congress take up three one-hundredths of 1 cent. The executive branch, one one-hundredths of 1 cent. The central fiscal operations, the Treasury Department, a half of 1 cent; the general property and records management, or General Services Administration, six one-hundredths of 1 cent; the central personnel management, or Office of Personnel Management, does not even register, hardly. Our general purpose fiscal activities, other general government, and so on, the running of our Federal Government and the functions of it in terms of general government spending, a little less than 1 cent of each tax dollar goes to that.

Community and regional development spending, which is a major activity back in our home districts, to help our local community regional economic development associations and so on go out and entice businesses to locate in our communities by showing them what infrastructure we have in place, what our labor force is like, et cetera, the aid and assistance we give them takes less than three-fourths of 1 cent of each tax dollar that you send here, and that includes about a quarter of 1 cent to FEMA and our disaster relief and emergency agencies that serve our communities when they have floods and other forms of natural disasters to face.

For a family making \$33,000 a year, that is about \$44 a year. For a family making \$49,000 it is about \$7 a year. For a family making \$111, it is about \$213 a year.

In the next chart, agriculture spending. I never have a town meeting without folks standing up saying, "Stop giving those subsidies to all those farmers. Those farmers are the fat cats. They are taking up half of the Federal budget."

We spend exactly two-thirds of 1 cent of each tax dollar on our agriculture community. About half of 1 cent goes to farm income stabilization programs, which we are cutting now, incrementally over the next 7 years, and eliminating totally.

The remainder of that goes into agriculture research and services so about two-thirds of 1 cent goes to support agriculture spending by the Federal Government, which helps supply our agriculture community: the largest supply of food in the world, the safest supply of food in the world, and the cheapest supply of food in the world for the American citizen. The subsidies that people complain about to our farmers really accrue to the benefits of our consumers, but even those we are cutting out now.

In the next chart, our next category is energy spending. We spend one-third of 1 cent on maintaining our energy supplies, our energy conservation, our emergency energy preparedness, such

as our strategic petroleum reserves and others, in case we get into a war or supplies are cut off from other parts of the world, and our energy information policy; less than three one-hundredths of a cent.

So for the average American family making \$33,000 a year, they are spending \$20 a year in the form of Federal taxes to support an energy supply, which, again, is the cheapest energy in the world. Today, a gallon of gasoline in America averages \$1.26 cents a gallon. In Canada, it is well over \$3. In Europe, it is over \$4.

There are the offset which accrue of about 4 cents on the dollar to the American taxpayers. The Federal Government gets a mortgage credit of about \$1 billion back; in the Postal Service, about \$1 billion 800 million in FDIC deposit insurance, about \$17 billion. It costs us a little over \$6 billion for the Commerce Department to advertise and try to advance our commerce around the world.

The employer share of employee retirement is about \$34 billion. The rents and royalties on the Outer Continental Shelf for drilling and exploring and so on, about \$2.4 billion. Other offsetting receipts, about \$7 billion. So we get back, for the taxpayer, nearly 4 cents on the tax dollar in terms of these offsetting receipts and credits.

I want to go back to this one chart again, because this capsulizes everything. Again, by function of government, what is it the tax dollar buys, from top to bottom? Twenty-two cents of each dollar buys Social Security for our people; 17.9 cents, or 18 cents, buys national defense; 15 cents, a little more, is interest on the debt; 14½ cents is income security for all those things we talked about previously; 10½ cents goes to Medicare. Nearly 8 cents goes to health; education, training, employment, and social services, 3½ cents of the dollar; transportation, 2½ cents; veterans' benefits, 2½ cents; natural resources and environment, 1½ cents; general science, space and technology, a little over 1 cent; international affairs, 1 cent; administration of justice, 1 cent; general government, 1 cent; community and regional development, three-quarters of 1 cent; agriculture, two-thirds of 1 cent; energy, one-third of 1 cent; and about 4 cents of the dollar in offsets and credits. That is what the Federal tax dollar buys for the American public.

For a family making \$33,500 a year, that is \$6,478 in all forms of Federal taxes. For a family making \$49,000 a year, that is \$10,800, in all forms of Federal taxes. For a family making \$111,500, that is \$30,786, in all forms of Federal taxes.

The point is, Mr. Speaker, we can do better. We can do better in some of these categories. There are debates raging out here right now about what we do to stabilize the Social Security

fund before it goes broke in the year 2030. How do we continue to provide for my generation, which is in its fifties, and for my son's generation, in their twenties, to have Social Security that they have paid in all their life, as the present generation has provided? Maybe there are things we can do to invest more wisely, or allow people to invest more wisely to stabilize that fund.

We have cut national defense considerably over the past several years. We are downsizing that area of the Federal Government, but we cannot downsize it much more.

Our net interest is the area we have to work on, because we need a balanced budget. We need to balance this budget. We need to reduce interest as a portion of our Federal debt. We are making headway on that deficit, but we have to go all the way to zero deficit spending.

That is why the debate is raging out here about how we get there, and the two great political parties are sharing their philosophical notions about how we get there. It is my hope and prayer we will get there, for the benefit of our children.

Medicare and part of the income security and health dealing with Medicaid and other health care services, we are right now debating here ways to lower the cost of the government with respect to those health care programs which are the fastest rising parts of the Federal budget. We are going more toward managed care. Other types of things we are doing to try to lower the cost in these major areas. This is the discretionary area of the budget. These things are the entitlement areas of the budget. Everything has to be on the table.

But let me say this, Mr. Speaker. For those people who come down here and say, "Well, we have worked until May 7 this year for the Federal Government," please tell the rest of the story. Please say that for those 4 months, we provided Social Security for our elderly and defense for our Nation, and we took care of health care problems and Medicare and health research and education and training for our unemployed; that we provided the best transportation system in the world; we helped our veterans; we took care of our environment and preserved our natural resources; we engaged in general science and space exploration; we conducted our international affairs as the leading power in the world; we had a justice system in which we maintained the FBI, the CIA, the BATF, the Federal prison system.

Please say that we spent only 1 cent on the dollar to operate this Congress and the executive department and the various agencies that serve this Congress and the executive department, and the General Services Administration and the Department of the Treasury, the Office of Personnel Management, and all these things; less than a cent on the tax dollar.

We have to tell the rest of the story, that we have engaged in community and regional development to the benefit of our communities in providing for sewer systems, water systems, other infrastructure developments that we have helped with, which greatly promote the economy and the commerce of this Nation, on very little as a percentage of our tax dollar; that we have supported the income security of our farm community, which has provided the cheapest, most plentiful, safest food supply in the history of any country in the world, and we have fed most of the world for many, many years. Say that.

The only thing I want to say is this: that the whole story is that it may be true that we worked until May 7 to pay our taxes to the Federal Government, but the rest of the story is that we get a lot of very good benefits. We can do better. We can save more, we can spend less, and we shall. But the American people ought to know, too, that we are struggling to give them what I think is the best we can do for the tax dollars that they send. It is not just coming here and going into a black hole. It is not just coming here and being wasted away.

Is there fraud and abuse? Yes. Should we get it out? Yes. It is incumbent upon every agency of the Federal Government and the oversight function of this Congress to give assurance to the American people that we are tightening restrictions, we are doing everything possible to make sure that we are spending this money in the most cost-effective, efficient way possible on behalf of the American people.

□ 2145

We are trying to do that.

My only purpose here tonight was to try to give the American people some sense of what their tax dollar is being spent for. That is all. I hope that we can agree that it is being spent not in some of the ways that the Americans people are thinking, like 30 percent of it going to foreign aid, but that we are trying to do our best to serve our people with the income that they do send us.

#### COMPETING PHILOSOPHIES FUEL DEBATE OVER ROLE OF GOVERNMENT

The SPEAKER pro tempore (Mr. COLLINS of Georgia). Under the Speaker's announced policy of May 12, 1995, the gentleman from Arizona [Mr. HAYWORTH] is recognized for 60 minutes.

Mr. HAYWORTH. Mr. Speaker, I thank my colleague from Illinois who preceded me here in the well. Indeed amidst all the talk of a lack of civility, amidst all the talk of hostility in this Chamber, Mr. Speaker, I can personally say without equivocation that one of



the honors of serving in this House in addition to being here representing the people of the Sixth District of Arizona is to serve alongside my good friend from Illinois. Because without venom or vitriol, he states a case, and he makes mention of the fact that, yes, there are two predominant philosophies at work in the Congress of the United States, by and large two philosophies represented within the two-party system, and I applaud him for his efforts to go beyond mere accountancy and figures to try and explain what many of us have come into contact with with various road projects, both at the Federal and State level, where we have all seen the sign that says, *Your Tax Dollars At Work*.

Mr. Speaker, I appreciate the efforts of my good friend from Illinois. But, as he says, there are basically two philosophies, and, indeed, Mr. Speaker, it is not my intent to put words in the mouth of the gentleman who preceded me here in the well but simply to challenge his fundamental thesis, the underlying argument, Mr. Speaker, that he presents tonight to the American people.

My friend seems to say that American citizens laboring from January through May to account for the huge Federal tax bite, well, that is money well spent, so my friend says. And, yes, there are problems, but incremental reform and fine-tuning and some adjustment can give us the necessary change to confront the next century.

Again I applaud my friend's effort and it is not a spirit of one-upmanship that brings me to the well of this House tonight, Mr. Speaker. But again I feel compelled to challenge the assertion nor the assumption of my dear friend from Illinois. For, you see, Mr. Speaker, I believe true reform and true effective use of tax dollars stems first and foremost from this document, the Constitution of the United States. And while I appreciate my friend's effort to account for your tax dollars at work, I do not believe that any of us can improve on the assertions of our Founders who in a beautiful and indeed inspiring Preamble to the Constitution offered, Mr. Speaker, I suppose in the buzz phrase of the mid-1990's, their vision statement, if you will, for this constitutional republic, and I quote:

We the people of the United States, in order to form a more perfect union, establish justice, ensure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

And indeed, although I am joined on the floor by a dear friend who is a practicing physician, most of what transpires in this Chamber and upon this hill does not equate with brain surgery nor complex accounting. Instead, its most fundamental premise is founded upon the notions set forth in this docu-

ment, what one historian, I believe, rightly called the Miracle at Philadelphia. This document, timeless, timeless in its ability if not to predict the future but to provide us with a framework for a free people to determine what should transpire within this free society. And I cannot help but note the irony of those who purport to represent the party of Jefferson who all too often forget his words, and this is something that becomes misunderstanding given the theatrics and the rhetorical excesses bound to occur in an election year, but it is worth noting again the Jeffersonian ideal. It was not for elimination of government but, as Mr. Jefferson pointed out, the ideal of a limited and effective government with the proper role for the Federal Government and a far more active role for State governments, for counties and for urban jurisdictions.

And so that frames the debate as we approach the next century.

Are we to assume that history occurs in a vacuum? Are we to assume that because at previous junctures in our Nation's history we should only subscribe to a philosophy that would dictate that power should reside primarily here in Washington, D.C.? And, further, that that power be exercised not by those elected but by those appointed or those who have sought career service within a vast bureaucracy?

That is the crux of the debate. Let me pause here, lest someone misunderstand.

Mr. Speaker, this is not a diatribe directed toward those who find themselves in the employ of the Federal Government. Indeed, I would be the first to say, Mr. Speaker, that there are many hardworking, dedicated people employed in the service of the Federal Government. But, Mr. Speaker, it is to say this: At this juncture in our history, is it preferable for power to be concentrated here on the banks of the Potomac in the hands of unelected officials accountable really only to themselves? And is it proper to issue the assertion that, Mr. and Mrs. America, if you work from January until May to satisfy your Federal level of taxation, well, well and good, because you are receiving incredible benefits? Is that really the course we should follow? Or is instead it more proper to understand that the average family in 1948, the average family of 4, surrendered 3 percent of its income in taxes to the Federal Government as opposed to the average family of 4 one year ago which surrendered almost one-quarter of its income to the Federal Government? And, mindful of that, is it a good and fair deal that the families of this Nation now spend more, Mr. Speaker, on taxes than on food, clothing and shelter combined?

For, you see, Mr. Speaker, this argument is made not out of avarice or greed or selfishness or any of those la-

bels so many in this election year are willing to bandy about akin to playground taunts. No, the question is asked legitimately because it helps define what type of future we should have. And indeed as I look beyond the Preamble to this Constitution, I cannot help but note the first clause in article I, section 1, which reads as follows, Mr. Speaker:

"All legislative powers herein granted shall be vested in a Congress of the United States."

All legislative powers, Mr. Speaker, vested in this institution and the other body across this magnificent structure, the Congress of the United States.

Yet what has transpired in this century? Often for the most noble of motives, this Congress has established agencies within the executive branch and those agencies in turn issue regulations.

Let me again pause at this juncture to make sure I am not misunderstood, Mr. Speaker. I am not saying that regulation in and of itself is a bad thing. No, quite the contrary. Certainly, Mr. Speaker, in my profession as a broadcaster, I know firsthand that a modicum of regulation was necessary to create order out of chaos on the airwaves, first at the behest of a Secretary of Commerce by the name of Herbert Hoover, then through a Federal Radio Commission established in the late 1920's, and ultimately within a Federal Communications Commission, and I think we can all agree with the developments in technology, with the changes we have seen throughout this Nation with the wonderful expansion of the economy and opportunity, some modicum of regulation must continue. But what I am saying and indeed what I propose in H.R. 2727, the Congressional Responsibility Act, is to indeed make sure that the first section of Article I of the Constitution is followed, that all legislative powers be vested here. Accordingly, H.R. 2727 would provide that every proposed regulation return here to the Congress of the United States for an up-or-down vote before it is printed in the Federal Register.

Mr. KINGSTON. Mr. Speaker, will the gentleman yield?

Mr. HAYWORTH. I yield to the gentleman from Georgia who joins my good friend the physician from Florida.

Mr. KINGSTON. I do not want to jump in front of the gentleman from Florida [Mr. WELDON] but on the point of regulation one of the bills that we have pending now is reauthorization of the Safe Drinking Water Act. One of the current regulations that water systems have to operate under requires small systems that use ground water to test for contaminants that are only found in surface water systems.

□ 2200

So here we have EPA, taxpayer funded, requiring groundwater systems to

do the same tests as surface water systems. Absolutely absurd.

The same act also requires that EPA post new regulations for 25 contaminants each 3 years, whether the regulations are needed or not. It is just absurd. It goes under what you are saying, we do need regulation, but we do need common sense in the regulatory authority.

Mr. HAYWORTH. Even in addition to common sense, which I laud the gentleman for mentioning, and which many observers would say time and again seems to be absent not only from this Chamber at times, but also through the vast bureaucracy, we need a proper reassertion of constitutional authority. That is why every proposed regulation should not be enacted by bureaucratic fiat, for as my two colleagues know, Mr. Speaker, what oft times happens is you have a shift in the power. Instead of the power being conferred by the people on their duly elected representatives to make laws, the power is bequeathed or ceded to the regulators who can come up with regulatory expansion, as my friend from Georgia mentions, that exceeds what the average person would deem to be reasonable. In doing so, it subverts the whole notion of laws and by the expansion of what I choose to call the tyranny of the bureaucracy and the power being conferred on government bureaucrats, what we have done is allowed those bureaucrats in essence through the issuance of regulation to make laws, because as my two colleagues know, certainly my physician friend from Florida understands, those folks with the sanctions of imprisonment or fine are basically enacting laws.

Of course I yield to my good friend from Florida.

Mr. WELDON of Florida. I appreciate the gentleman yielding. I very much applaud you in your efforts to reassert the authority of the Constitution of the United States, because I feel very strongly that not just for years, but for decades, the language of our Constitution has been either subverted or totally ignored. There is probably no better example than the rampant, wanton, overwhelming number of regulations that have come from Federal bureaucrats that have tremendous impact on the day-to-day lives of American families who are very, very often just struggling to make ends meet.

You were talking about tax policy before. What is so amazing to me is that the callous, casual attitude that many politicians have about raising taxes, when many families, they are on such a tight margin that those slight increases in taxes mean a cutback in their ability to plan for a vacation, to plan for higher education for their children, to plan for an expansion on their home.

But getting back to the subject you were talking about, regulations, the

other body, their Governmental Affairs Committee recently reported out that Federal regulations cost the average American household \$6,000 annually in higher prices, diminished wages, and increased taxes or reduced services.

Furthermore, under the Clinton Administration, there has been a record increase in the number of Federal regulations. They have increased at 4.6 percent per year during the Clinton administration. This is a record, it stands at an all time record of now 67,518 pages of regulations, 18 percent higher than what they were in 1992.

Some people think this is just an abstract concept. But when you talk to a small businessman who is trying to start a new business and discovers that he has to fill out form after form after form of regulations dealing with multiple different layers of bureaucracy, and that inability to get himself started in his business frequently results in lost income for his family, and sometimes in bankruptcy, businesses not even being started, jobs not created because of the burden of Federal regulations, this indeed I think is one of the silent crimes of our government against our people, the fact that there has just been this endless amount of regulation issuing forth from Washington, DC.

Mr. HAYWORTH. Mr. Speaker, reclaiming my time, I think my friend from Florida, indeed on the front lines of not only health care as a physician, but also on the front lines here representing very capably the people of this district, again points out something which we should note with more than curiosity, indeed with widespread concern, for taking the model offered by our dear friend from Illinois, who preceded us here in the well, who said well, let us set up the construct, if you are paying from January to May for the tax bill, it is money well spent, there is in fact a hidden tax, and this is what the gentleman from Florida refers to, a hidden tax of overregulation that by many estimates means that the average American is really in essence working for governmental entities far beyond May, indeed past the day upon which we celebrate our independence, and that the true Independence Day for the American citizen in terms of taxes and fees levied by excessive regulation, either through higher costs or other things, does not come until really mid-July.

So there you have it, more than six months, in reality, six and a half or almost seven months, where the hard working people of the United States work and labor essentially to propagate a system of excessive regulation and a system of centralized control.

What we offer in the new majority is very simple, and this is something that we need to articulate here once again, free from the diatribes and the playground taunts and the interesting in-

terpretations that some of our friends in the media would offer. What we are simply saying is this: Mr. Speaker, the citizens of the United States of America work hard for the money they earn. They ought to hand onto more of that money and send less of it to Washington, and they should have not only the money in their pockets, but they should ultimately decide what is best for their families and their futures, instead of ceding that power and that revenue to a centralized governmental authority.

Let me yield to my friend from Georgia.

Mr. KINGSTON. A story of one of your freshmen colleagues really fits in there, and that is that of SONNY BONO, one of your better known freshmen.

He tells the story of leaving Hollywood and going to Palm Springs to start a restaurant. He needed to make some changes in the building that he bought and so forth. So he went down to the city hall to get building permits, thinking that he was going to be creating jobs and additional tax revenues and all kinds of positive things for the area that they would say "Mr. BONO, we are so happy to have you in here, we need entrepreneurs, employers. This is a great boost for our economy." Instead, he was given the runaround. "Why do you need these permits? How have you chosen the contractor who is going to do the work?"

They started nickeling and diming him and micromanaging the project. He thought it was going to take 15 minutes. Six months later he still had not gotten his permits for his building, the renovation and building permits, from the city there.

Mr. BONO. tells a great story of walking in one day and saying "I have got my permit problem solved." The bureaucrat behind the desk said, "No you don't." SONNY BONO said "Yes, I do". The bureaucrat said "No, you don't, Mr. BONO. Nobody solves permit problems without me. I am the one who decides. I represent the government. You can't do anything on your own without me."

SONNY BONO looked at him and said, "Oh, yes, I can. I have solved my permit problem. I am going to run for mayor, and I am going to fire you."

That in essence is a true story of how SONNY BONO got into politics. He did run for mayor, he was successful. He points out, he is not inhumane. He did fire the guy, but turned around and let him be his gardener, so all was not lost.

But the point of the story is you have in the U.S. Congress now people who have experience with real world bureaucratic red tape. They have not been raised in the political ranks, where they have chief of staffs and administrative assistants and directors who protect them from the dirty world of red tape which the real world has to contend with.



So as your 73 freshmen Members came to the House floor, you have fought for less regulation and more individual responsibility and more individual freedom. I think you have made it. You have got a securities reform litigation signed by the President, the Paperwork Reduction Act signed by the President. We have stopped the practice of passing local laws and making local county commissions pay for it after we decide how to run every county in Arizona and Florida and Georgia. We are trying to back off that.

So the impact of the 73 freshmen has been tremendous, and yet it is just a start as to what we need to do to truly get government off the back and out of the pocketbooks of small businesses all over the country.

Mr. HAYWORTH. Reclaiming my time, my friend from Georgia makes an excellent point, and indeed relating once again to us the real life experience of our colleague from California and what prompted his entry into pursuit of elective office I think is especially appropriate.

But there is something that undergirds it entirely, Mr. Speaker, and that is the notion of those who put together this document, the notion of our Founders, which was unique in human history. For in contrast to our English forbearers, or our British cousins, as some of us affectionately refer to our friends across the Atlantic, in this new Nation, in this constitutional republic, we did not choose to recognize one person or one family as sovereign or as sovereigns.

Instead, in this Nation we operate from the assumption that, first, power is conferred upon us by a creator, and that in this Nation, the people are sovereign and they in turn confer their power, or political power, if you will, on governmental institutions. Yet, as our friend from Georgia relates the story, what all too often happens is that notion is twisted or turned to where American citizens are suddenly accountable to unelected career Washington bureaucrats, instead, Mr. Speaker, of what was intended, and that is for government to be accountable to the people.

So, indeed, this so-called revolution, which, by the way, can only be defined as extreme in terms of the context of making extremely good sense, what is in fact a resolution not born of something radical but something entirely reasonable, simply says that the power, indeed, Mr. Speaker, it is reminiscent of a popular slogan in the 1960's, that power belongs to the people, and that power goes to the people.

Let me yield to my friend from Florida.

Mr. WELDON of Florida. I appreciate the gentleman yielding. I just want to add to your comments about the so-called revolution. In my opinion, the

revolution that people talk about here in Washington is nothing more than a dose of common sense coming from the people that you talk about, which is where the power truly lies with, a dose of common sense coming to the people of this city.

This city is insulated from the people that put them here. This so-called revolution is nothing more in my opinion than the people that work in Washington at the bidding of the governed who elect them and put them here, finally having to start acting on some of these things that people have been crying out for for years and years and years and years, like reforming the Congress itself, making the Congress live under the laws that they have been passing on to the people.

Madison, in Federalist Paper Number 37, which I am sure as a student of history as you are, J.D., you would know that he said in that federalist paper that the Congress should not be allowed to pass any law that does not have its full operation on themselves or on their friends. In reality, as we know from the past 25 or 30 years, they have repeatedly passed major pieces of legislation, including the Civil Rights Act, the Americans with Disabilities Act, the Family Leave Act, even the labor laws themselves and OSHA regulations they exempted themselves from.

And OSHA regulations, they have exempted themselves from it. As I understand it, the people from OSHA right now are beginning to do their audits on all these buildings here on Capitol Hill, and that some of them have some very, very serious problems. And those problems would have never been recognized if it had not been for the fact that this so-called revolution, which I think is nothing more than common sense reform coming to this body and coming to this city, and it is something that the American people have been asking for for years and years.

□ 2215

Mr. HAYWORTH. I thank my friend from Florida and I would be happy to yield to my good friend from Georgia after I offer this parenthetical note to quantify what the gentleman from Florida just said.

Indeed, if we were to define this, Mr. Speaker, despite the sensationalistic notion of revolution, what in essence we have here is rather than revolution, a reclamation, a reclaiming of this government for its rightful role in society, and that is what is at stake here and a reevaluation of the role of government.

I thank our good friend from Florida for joining us, making those points, and once again I am happy to yield to my friend from Georgia.

Mr. KINGSTON. The gentleman from Florida had mentioned OSHA, the Occupational Safety and Health Adminis-

tration, and for years this has been the group that was kind of the government watchdog on health and safety in the workplace. Certainly it came into being under the Nixon administration. It was a pro-worker law, but it was not an anti-business law either. It just had some common sense.

And yet we are now in a situation where over 60 percent of the OSHA fines are for paperwork violations. You have to list such hazardous substances as that of the ink that you use in a Xerox machine. If you store that, you have to have a material safety and data sheet. And if you do not fill that out properly, you are fined. There have been cases of OSHA coming in and laying a heavy hand on small businesses and putting them in some cases almost out of business because of the financial crunch, litigation, and so forth. Yet in the agriculture side of our economy, there is the Soil Conservation Service which gives farmers technical assistance to prevent erosion, which is a pro-environment type agency, but giving technical assistance to farmers, which they need, a very good working relationship between soil conservation and farmers.

And here you have the same type relationship between OSHA and businesses, only it is an antagonistic one. What we would like to do is have OSHA be more like Soil Conservation is to the farmer, helping the businesses make their worker environment safer, because one of the things I learned when I sold workers compensation insurance is that the price of the accident, a hundred dollars for stitching up somebody's thumb, is four times when you consider the time lost and the problems with worker morale and so forth. Businesses have every motivation in the world besides government to take care of their employees; if nothing else, just from the production standpoint.

Mr. HAYWORTH. Mr. Speaker, reclaiming the time, I thank my friend from Georgia for making this fundamental point, for as certain as the sun rises in the morning, there are those who will willfully distort or mischaracterize what we are saying here tonight.

And the gentleman is quite right, Mr. Speaker, for he talks of regulation that is there to establish order and also there to offer a helping hand, not in terms of money or tax dollars allocated to business, that is not what we are talking about, but to work in a cooperative fashion with business and industry as opposed to an adversarial relationship, or a game that is oftentimes played in the Nation's press, in the common vernacular it is called a game of "gotcha". So that we pass so many regulations, so cumbersome, so out of touch with what is reality or in any way, shape or form reasonable so that those responsible for enforcement can

come in and say, "Ah, 'gotcha'." Part B of subparagraph 1 of section 325 states this. You made an effort but you did not quite reach what I believe, as the regulator, as the arbiter of this, to be the right decision.

It comes back not only to this document, our Constitution, but also to the simple notion I mentioned earlier, Mr. Speaker. And it is this question. What is reasonable? What would a reasonable person do?

As my friend from Georgia mentioned a second ago, even if we accept the notions that some in our society seem to adopt, that business, by its very existence is greedy or motivated out of avarice; even if we were to accept that notion wholeheartedly, we would have to understand that it is in the best interest of business to make sure that employees are productive. And to be productive they need to work in a safe environment.

So even if we were to proffer the notion, as some in this Chamber do from time to time, that the profit motive is inherently evil or selfish or somehow misguided, even if we were to accept that notion, there would be the corollary offered by my friend from Georgia, which is this: Those folks owning the business would like to keep it productive, and to do so there has to be a modicum of worker safety.

I want to yield to my friend from Georgia.

Mr. KINGSTON. The other thing is that if we want to help workers, we do want to have a safe work environment. Everybody, an employer, government employees, everybody will agree on that. But if we want to help the workers across America, the key thing we have to do is honor why they are working, and that is to make money and make a better society.

Now, if we want to help those workers, let us let them keep more of their own paycheck. And the President has vetoed a \$500 per child tax credit. He has vetoed an earned income tax credit that would have helped America's working poor. He has vetoed a balanced budget amendment which would have brought down interest rates so that they could borrow money less expensively for their cars, for their homes and so forth. But I think one of the things that really adds insult to the American workers is his veto of a bipartisan welfare reform bill, a welfare reform bill which would have only required people to work 20 hours a week.

Now, I ask the gentleman from Arizona, is there anybody in Arizona who can provide for their families working 20 hours a week?

Mr. HAYWORTH. Mr. Speaker, reclaiming my time, I know of no one who works from dawn to dusk to provide for their families who could do that for 20 hours a week.

Mr. KINGSTON. I want to make sure the American people know this, be-

cause here we are talking about workers' safety and we are talking about the quality of the job done, allowing workers to keep more of their paycheck, and the President of the United States says it is not good enough to require able-bodied people on welfare to work 20 hours a week.

The working men and women in Georgia and Arizona are working 40, 50, 60 hours a week. They are in debt. They are barely getting by, and the President says I am not going to make people work 20 hours a week for their welfare benefit.

Now, for crying out loud, here it is an election year and he is saying 20 hours a week is too much? I think that is absurd, and I think the people of Arizona are probably just as outraged as the people in Georgia are about it.

Mr. HAYWORTH. Reclaiming my time, and again I thank the gentleman from Georgia for bringing forth this very cogent observation. And again, Mr. Speaker, we should note this is not said with venom nor vitriol, not in the form of a playground taunt, but, really, Mr. Speaker, just to examine the record of the gentleman who resides at the big White House at the other end of Pennsylvania Avenue, for if words are to mean something, actions should correspond to the words.

And, indeed, as my friend from Georgia points out, we have a President who campaigned in 1992 on balancing the Federal budget in 5 years. Yet when confronted with a realistic plan that actually gave him a 2-year grace period, if you will, a balanced budget plan which was introduced by the new majority, back I believe last October, the President chose to veto that; instead putting in its place a document of suspicious foundation from this standpoint, Mr. Speaker.

It would be akin, and I will use a personal example, I am fighting the battle of the bulge around my waistline, it would be akin to saying to someone we are going to give you a year to lose 50 pounds. We ask you to lose two pounds in the first 50 weeks of the year, and in the final 2 weeks of the year we ask you to lose the remaining 48 pounds. On paper the mathematical operation can work, in real life that would be very difficult.

That is what we are dealing with. And as my friend knows full well, we have, at the other end of Pennsylvania Avenue, a President elected by saying that middle class taxes were too high and that people should hang on to more of the money they earned, yet adopting the philosophy upon his inauguration of those proponents of big government who said, oh, no, no, no, more of your money should come here to Washington. Thus, the largest tax increase in American history.

But especially galling, as my friend from Georgia points out, and this is something that happened on my watch,

if you will, after I was elected to the Congress of the United States to represent the good people of the 6th District of Arizona, we provided this President, Mr. Speaker, with a welfare reform plan, taking him at his word when he said we should end welfare as we know it, and as my friend pointed out, with a modest work requirement.

Mr. KINGSTON. If the gentleman would yield.

Mr. HAYWORTH. He chose to veto it not once but twice. And I yield to my friend from Georgia.

Mr. KINGSTON. If the gentleman would yield. What is interesting is, last September, I think it was September 15, 1995, it was on Larry King Live, the President said about the Republican welfare bill, I like it, it would end welfare as we know it.

And that welfare bill passed the U.S. Senate, which certainly is not an activist conservative body. It passed the U.S. Senate by a vote of 87 to 12. We had all the liberals voting for this one, and the President indicated he was going to sign it and he vetoed it. Vetoed that tough requirement for 20 hours a week work. Vetoed that tough requirement saying illegal aliens could not get taxpayer dollars. And vetoed that tough requirement saying that teenagers need to identify the dads so that they could participate in the upbringing of that baby financially, if nothing else.

But you know what? I think it is probably our fault, and I will tell you why, Mr. HAYWORTH. When the President said I am going to end welfare as we know it, we were not listening. He said I am going to extend welfare as we know it. We missed the E-X-T. I think what he really meant was not end welfare but extend welfare. Because in the 3 years that his watch has taken place on Pennsylvania Avenue, all that we have seen is an extension of welfare, more folks who are able-bodied staying home than ever before.

The poverty rate is up 2 percent higher than when Ronald Reagan was President, and we have now spent \$5 trillion on welfare since 1965 and we are not bringing down the poverty rate.

Mr. HAYWORTH. Reclaiming my time, little wonder, then, that the so-called credibility gap of the 1960s, Mr. Speaker, has expanded to this credibility canyon involving the President of the United States who says one thing and then has actions totally, totally in opposition to his rhetoric.

And, Mr. Speaker, again this is not said to score partisan points. Indeed, the irony of what has transpired in the last year and a half is that this new majority has moved to enact many of the programs that our current President championed on the hustings only to abandon once he moved in to 1600 Pennsylvania Avenue.

But it is especially galling to have this situation. And now, in addition to



the credibility canyon, now in addition to the reality of this President extending welfare as we know it rather than ending it, you have the whole new wrinkle known as the Clinton crunch. For, yes, Mr. Speaker, there will be a day of reckoning.

□ 2230

When this President has the audacity to come back to this Chamber, after standing here at this podium a few short months ago telling us the era of big government is over, and insist that this government, already in arrears to the tune of \$5 trillion with the national debt, should expend yet \$8 billion more of those dollars which we do not have, it is an incredible assertion, not something to be championed or applauded, but something to be questioned for its very absurdity.

It is indeed frustrating to find those who would give lip service to reform and think not of the next generation but instead of the next election. That is something that my friend from Georgia and I are not here to do, for we are not career politicians.

Let me yield to my friend from Georgia.

Mr. KINGSTON. As the gentleman pointed out, with the veto of the balanced budget and not offering an alternative, what you have done is you said no to lower interest rates because a balanced budget would have lowered interest rates 2 percent. Businesses would have been able to expand. Jobs would have been created. Therefore, you are saying no to lower interest rates, no to new jobs. And also, you are saying no to the \$500 per child tax credit, the much-needed tax relief to the middle class in America. That is what we need so desperately.

Mr. HAYWORTH. Reclaiming my time, when you talk about that \$500 per child tax credit, I cannot help but think of the people of the Sixth District of Arizona who send me here to represent them. I cannot help but think of a single mother who may have three children, whose spouse may have deserted her, who is working hard, playing by the rules, trying to provide for her family and yes, seeking outside educational skills to heighten her earning potential, despite the trauma that has most assuredly occurred in her personal life.

By denying the \$500 per child tax credit, the champions of big government, the champions of expansive and excessive bureaucracy are saying to that single mother, "No, indeed, ma'am. You do not need that \$1,500 to spend or save for your family as you see fit. That money instead should be taken from you and given to the bureaucracy in Washington, D.C."

How fundamentally cynical, how philosophically bankrupt, how essentially immoral that notion is. For what we do here is to establish the primacy

of the State, the primacy of the bureaucracy instead of the power of the people. In a free society, that young lady struggling to provide for those three children should have that money to spend on those children as she sees fit.

Let me yield to my friend from Georgia.

Mr. KINGSTON. If the gentleman would yield, as things go, had our bill passed into law instead of been vetoed by the President, your constituent would have in her pocket today \$1,500 extra which she could use for clothes, for textbooks, for college education accounts and so forth. Instead, that \$1,500 did not go to deficit reduction, it went to welfare expansion, other programs such as the AmeriCorps program which pays "volunteers" \$26,000 a year, and most of them who end up going through the program end up working for the government, and just countless other bureaucratic, Washington-based command and control programs. You know, I have a lot of faith in the people of Arizona. I have never lived there. I have not visited your fine State as much as I want to.

Mr. HAYWORTH. Reclaiming my time, we absolutely invite you to the great State of Arizona, Mr. KINGSTON. I hope you will visit often.

Mr. KINGSTON. I would like to do that.

Mr. HAYWORTH. You will be back.

Mr. KINGSTON. But I have just as much faith in your folks as I do in mine, and my people would do fine without Washington command and control bureaucrats telling them how they need to run education, telling them how to run the environment, telling them how to run health care, telling them how to run welfare. We have ideas of our own in the First District of Georgia, and we can do fine without Washington bureaucrats.

Just think about what we are doing. We send our money to bureaucrats and then they tell us how to spend it. They get their cut and they send part of it back to us to run programs, and we know these people better than they do. We can do a better job on poverty, right down the street, than people in Washington can.

I often think about that story, and you have heard it, "The Star Tosser." I do not remember the author, do not even remember the name, but the guy walks up and down the beach picking up starfish and he throws them in the water. Every morning he does that after high tide. He throws these starfish back in the water.

Somebody came up to him one day and said, "What are you doing? You cannot save all these washed ashore starfish. There are thousands of them. On a good day, you maybe get 150 of them back in the ocean. What difference could you possibly make?"

The man picked up a starfish and said, "I do not know what difference I

make, but I am going to make a heck of a difference to this one right here," and he threw it in the ocean.

Now, the point is, I cannot clear up poverty in Arizona or in California or all over the country. I might not even be able to do it in my own hometown, but I know this: I am going to have a heck of a lot better shot at taking care of poverty in my hometown than I will in your hometown.

Mr. BILBRAY. Will the gentleman yield?

Mr. KINGSTON. What the bureaucrats in Washington are telling us is they are so smart, they can do it in all of our hometowns.

Mr. HAYWORTH. Reclaiming my time, I will be happy to yield to my friend from California.

Mr. BILBRAY. The gentleman from Georgia was just pointing out that the people in the community know how to serve their poor the best and that Washington does not know best.

Let me tell you, as somebody who was a county supervisor in a county of 2.5 million plus people, that we operated a welfare system larger than 32 States. When we ran into welfare fraud, we actually ran into a situation where we realized we did not have pictures on the identification cards that welfare recipients use.

Maybe being a little naive, I, as an administrator of a large welfare system, decided that it was time that we brought the system into the 20th century and put pictures on welfare cards. That is all we were saying, the ability to try to reduce fraud. Washington, D.C. said, "We are not so sure we can allow you to do that because it might violate the privacy of the welfare recipients."

Now I want you to remember that every time you look at your driver's license, and think about the fact that do you honestly think your government is violating your privacy by having you take a photo? I think that common sense approach that we fought so hard for in San Diego, in trying to get the Federal Government off our back and allow us to administer these programs in a reasonable, logical way, just really has to ring true here of saying guys, it has gotten out of control.

Washington is not the only well of wisdom and compassion, and we have got to allow people to address the problems they see in their community and in the programs. As a past administrator, I sure hope this city learns to finally understand to trust the people with freedom and trust them to do the right thing. The American people are good people, and if Washington would just give them enough latitude to do the right thing, American people will do the right thing.

I appreciate the time. I would just like to point out and to say to the gentleman from Georgia, I would like to offer him happy birthday tomorrow. I

hear it is the gentleman's 41st birthday.

Mr. HAYWORTH. Would the gentleman yield?

Mr. BILBRAY. Go ahead.

Mr. HAYWORTH. Forty-one for the youthful visage of the gentleman from Georgia, it is truly amazing.

Mr. KINGSTON. Yes, but I still like rock and roll and do so any chance I get. I just do not want my 13-year-old daughter to know about it.

Mr. BILBRAY. Well, I would just like to say congratulations, and I would like to say it must be the fact they do not get as much sun in the West, so they are better preserved for a while, right?

Mr. HAYWORTH. It could be that, reclaiming my time, or the fact that our dear friend, as my friend from California knows, is just the perfection of physical fitness, as you are, spending time as I know that you do, surfing. I also know that my colleague from California and my friend from Georgia—

Mr. KINGSTON. I hear people laughing through the camera at this point, but I just want to say one thing you two could do is eat a little more Vidalia onions.

Mr. HAYWORTH. We would be happy to. I thank my friend for the offer and I am expecting those Vidalia onions, providing they do not violate the gift ban any day now.

Mr. BILBRAY. We will make that ambition our goal.

Mr. HAYWORTH. Let me say, Mr. Speaker, to my friend from California and also my friend from Georgia, as we talked about what in essence has become the act of extending welfare as we know it, and my friend from California especially knows this, we are not only extending welfare benefits to American citizens. No, indeed. We have extended those benefits to folks who are not United States citizens, to those who commonly cross our borders in illegal fashion. I know that is a problem within the State of Arizona and also within the area my friend from California represents.

Mr. BILBRAY. Would the gentleman yield?

Mr. HAYWORTH. I gladly yield to my friend.

Mr. BILBRAY. As somebody who grew up on the border, the absurdity of the way local governments are required to handle these situations, to give you an example, you have the mother of a person born here in the United States, but she is an illegal alien. She will get the check for that child. But the law says that while she is here in the United States, she cannot work and she cannot spend one cent of that money on herself.

Then we wonder why the studies in Los Angeles show that over 70 percent of the recipients that are receiving welfare checks that are illegal aliens are committing welfare fraud. It is be-

cause the law is absurd, and I want to point this out.

I think the one thing we do is, we focus on the illegal alien issue or the immigrant issue. It is the absurdity of the rules we make in Washington and that they do not apply in the real world. This is a situation where we may be called mean-spirited, but the fact in Washington is stupid and it is irresponsible. We need to change these things and do something that is maybe a little radical to somebody, and that is do the reasonable thing in Washington, so those of us in California and Arizona and Georgia and across this country can do the reasonable thing.

Mr. HAYWORTH. Reclaiming my time, what is radical within this beltway is reasonable to the people of the United States. I thank my good friend from California for mentioning that fact, and I thank my friend from Georgia for offering real-life experiences of his constituents and the challenges they face.

Indeed, Mr. Speaker, that brings me back to H.R. 2727, the Congressional Responsibility Act, which I sponsor, which simply again redesignates and reemphasizes what Article 1, Section 1 of our Constitution says: All legislative powers herein granted shall be vested in a Congress of the United States.

Mr. Speaker, H.R. 272 does not outlaw executive agencies enacted by this very Congress which now exist within the executive branch. All it does is say that all of those proposed regulations, before they become in essence law published in the Federal Register, should come here to the Congress of the United States in expedited fashion for an up or down vote.

Now, the government experts say, "My goodness, that would require too much time on the part of the Congress of the United States." But, Mr. Speaker and my colleagues, as has been my honor on several occasions of preside as Speaker Pro Tem of this house, I have presided on at least two occasions where this body was engaged in largely ceremonial debate for a ceremonial vote to name Federal installations after noteworthy Americans. Now, I do not criticize that process, but instead I ask this simple question, Mr. Speaker: If this Congress, in the wake of over the last year having cast more votes than any other Congress before it, still can find the time to expend hours of its energy on largely ceremonial votes, cannot this same Congress take the time to fulfill its constitutional obligation as stated in Article 1, Section 1 of the sacred document we call the Constitution of the United States?

Mr. Speaker, it is about this: Reclaiming this government for the American people. As my friend from California pointed out earlier, it is nothing radical; instead, it is reasonable. Indeed, the only way it can be called extreme is in the fashion of making extremely good sense.

Let me yield to my friend from Georgia.

Mr. KINGSTON. I wanted to get back to the gentleman's statement and also Mr. BILBRAY's. He said the Washington bureaucracy is stupid and irresponsible. I do not think anybody paying taxes back home would disagree with that. It is also inefficient.

What really happens, though, I know there are a lot of good people involved in government, elected and unelected. A lot of good folks are called bureaucrats. But you know what I think of having been around a lot of teenagers? I know a lot of teenagers who individually are fine folks, but when you get a pack of them in your living room or a pack of them in your kitchen, strange things happen and all those individual good people turn out to do some pretty stupid things as a pack.

□ 2245

That is what happens in Washington. These folks need to go back home so they can continue to be good folks, because when they get together the association causes some real inefficient and irresponsible results.

Mr. HAYWORTH. Reclaiming my time, Mr. Speaker, I thank the gentleman, who fast approaches his 45th birthday tomorrow, and again provides the wisdom of his age in the interaction of the teenagers in his household.

Mr. Speaker, I simply thank my good friend, the gentleman from California [Mr. BILBRAY] and my good friend, the gentleman from Georgia [Mr. KINGSTON], who joined us during our special hour.

Mr. Speaker, it is all about this document, the Constitution of the United States, and people being free to decide what is best for themselves and their families, instead of relinquishing that power to a centralized authority in Washington, DC.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. UNDERWOOD (at the request of Mr. GEPHARDT), for today and the balance of the week, on account of official business.

Mrs. COLLINS of Illinois (at the request of Mr. GEPHARDT), for today, on account of personal reasons.

Mr. FIELDS of Texas (at the request of Mr. ARMEY), for April 17, on account of a death in the family.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. DOGGETT) to revise and extend their remarks and include extraneous material:)



Ms. MCKINNEY, for 5 minutes, today.  
Mr. FRANK of Massachusetts, for 5 minutes, today.

Mrs. CLAYTON, for 5 minutes, today.  
Mr. MINGE, for 5 minutes, today.  
(The following Members (at the request of Mr. DICKEY) to revise and extend their remarks and include extraneous material:)

Mr. BILIRAKIS, for 5 minutes, on April 24.

Mr. MICA, for 5 minutes each day, on today and April 24.

Mr. RADANOVICH, for 5 minutes, on April 24.

Mr. COX of California, for 5 minutes, today.

Mr. HUNTER, for 5 minutes, today.  
Mr. KASICH, for 5 minutes, today.  
Mr. RIGGS, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. MARKEY, for 5 minutes, today.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following members (at the request of Mr. DOGGETT) and to include extraneous matter:)

Mr. MANTON.  
Mr. UNDERWOOD.  
Mr. FAZIO of California.  
Mr. HAMILTON.  
Mr. MILLER of California.  
Mrs. KENNELLY.  
Mr. LANTOS in two instances.  
Ms. MCCARTHY.  
Mr. KENNEDY of Massachusetts.  
Mr. LIPINSKI in three instances.  
Mrs. THURMAN.  
Mr. DELLUMS in two instances.  
Mr. TORRES.  
Mr. STARK.  
Mr. SCHUMER.  
Mr. HOYER in two instances.  
Mr. BONIOR

(The following Members (at the request of Mr. DICKEY) and to include extraneous matter:)

Mr. CRANE.  
Mr. BACHUS.  
Mr. WICKER.  
Mr. ZIMMER.  
Mr. BURTON of Indiana.  
Mr. GILMAN.  
Mr. BEREUTER.  
Mr. DAVIS.  
Mr. NETHERCUTT.  
Mr. WOLF.  
Mr. BAKER of California.  
Mr. PORTER.  
Ms. ROS-LEHTINEN.  
Mr. TAYLOR of North Carolina.

(The following Members (at the request of Mr. HAYWORTH) and to include extraneous matter:)

Mr. COOLEY of Oregon.  
Mr. FRAZER.  
Mr. ROMERO-BARCELÓ.  
Mr. GILCHREST.

Mr. GILLMOR.  
Mr. PALLONE.  
Mr. TEJEDA.  
Mr. STUMP.  
Mr. KENNEDY of Rhode Island.  
Mr. STOKES in two instances.

#### ADJOURNMENT

Mr. KINGSTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 45 minutes p.m.), the House adjourned until tomorrow, Wednesday, April 24, 1996, at 11 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2435. A letter from the Chief of Legislative Affairs, Department of the Navy, transmitting notification that the Department of the Navy intends to offer transfers by grant of two vessels to the Government of Greece, pursuant to 10 U.S.C. 7307(b)(2); to the Committee on National Security.

2436. A letter from the Chief of Legislative Affairs, Department of the Navy, transmitting notification that the Department of the Navy intends to offer transfer by grant of one vessel to the Government of Portugal, pursuant to 10 U.S.C. 7307(b)(2); to the Committee on National Security.

2437. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation entitled the "Maritime Administration Authorization Act for Fiscal Year 1997," pursuant to 31 U.S.C. 1110; to the Committee on National Security.

2438. A letter from the Comptroller of the Currency, transmitting the Department's final rule—Uniform Rules of Practice and Procedure (RIN: 1557-AB43), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

2439. A letter from the Secretary of Education, transmitting notice of final schedule of arbitration fees and expenses—Vending Facility Program for the Blind on Federal and Other Property, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Economic and Educational Opportunities.

2440. A letter from the Assistant General Counsel for Regulations, Department of Education, transmitting the Department's final rule—Title I, Part C—Education of Migratory Children (RIN: 1830-ZA03), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Economic and Educational Opportunities.

2441. A letter from the Assistant General Counsel for Regulations, Department of Education, transmitting the Department's report on the notice of selection criteria, selection procedures, and application procedures for challenge grants for technology in education, pursuant to 5 U.S.C. 801(a)(1)(B); to the Committee on Economic and Educational Opportunities.

2442. A letter from the Assistant General Counsel for Regulations, Department of Education, transmitting the Department's report on the notice of final funding priorities for Jacob K. Javits Gifted and Talented Students Education Program, pursuant to 5 U.S.C. 801(a)(1)(B); to the Committee on Economic and Educational Opportunities.

2443. A letter from the Assistant General Counsel for Regulations, Department of Education, transmitting the Department's report on the notice of final funding priorities for Fund for the Improvement of Education Program, pursuant to 5 U.S.C. 801(a)(1)(B); to the Committee on Economic and Educational Opportunities.

2444. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

2445. A letter from the Comptroller General of the United States, transmitting the list of all reports issued or released in March 1996, pursuant to 31 U.S.C. 719(h); to the Committee on Government Reform and Oversight.

2446. A letter from the Executive Director, Advisory Council on Historic Preservation, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1995, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

2447. A letter from the Chairman, National Capital Planning Commission, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1995, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

2448. A letter from the Chairman, National Capital Planning Commission, transmitting the 1995 annual report in compliance with the Inspector General Act Amendments of 1988, pursuant to Public Law 100-504, section 104(a) (102 Stat. 2525); to the Committee on Government Reform and Oversight.

2449. A letter from the Executive Director, Neighborhood Reinvestment Corporation, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 1995, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform and Oversight.

2450. A letter from the President and CEO, U.S. Enrichment Corporation, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1995, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

2451. A letter from the Clerk, U.S. House of Representatives, transmitting list of reports pursuant to clause 2, rule III of the Rules of the House of Representatives, pursuant to Rule III, clause 2, of the Rules of the House (H. Doc. No. 104-199); to the Committee on House Oversight and ordered to be printed.

2452. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Electronic Filing of International Air Passenger Service Rules (RIN: 2105-AC23), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2453. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Medals of Honor (RIN: 2105-AC41), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2454. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—National Security Information (RIN: 2105-AC40), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2455. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Use of the Official Seal (RIN: 2105-AC39), pursuant to 5

U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2456. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Staff Assignments and Review of Actions Under Assignments (RIN: 2105-AC38), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2457. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Release of Internal Staff Memoranda Relating to Public Meetings of the Civil Aeronautics Board (RIN: 2105-AC42), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2458. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Aviation Economic Rules: Correcting Obsolete References (RIN: 2105-AC46), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2459. A letter from the Chief, Regulations Unit, Department of the Treasury, transmitting the Department's final rule—Revenue Procedure 96-30, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2460. A letter from the Secretary of Labor, transmitting the Department's report to Congress on the number of training waivers issued under section 231(c)(1) of the Trade Act of 1974 to workers determined eligible for trade readjustment allowances [TRA], pursuant to section 231(c)(3) of the Trade Act of 1974, as amended; to the Committee on Ways and Means.

2461. A letter from the Chairman, Defense Nuclear Facilities Safety Board, transmitting the Board's sixth annual report to Congress on health and safety activities; jointly, to the Committees on National Security and Commerce.

2462. A letter from the Acting Director, Office of Thrift Supervision, transmitting the Office's 1995 annual consumer report to Congress, pursuant to public Law 101-73, Section 301, (103 Stat. 279); jointly, to the Committees on Banking and Financial Services and Commerce.

2463. A letter from the Physician Payment Review Commission, transmitting the Commission's 1996 annual report, pursuant to 42 U.S.C. 1395w-1(c)(1)(D); jointly, to the Committees on Ways and Means and Commerce.

2464. A letter from the Assistant Secretary of the Army, transmitting a draft of proposed legislation entitled the "Water Resources Development Act of 1996"; jointly, to the Committees on Transportation and Infrastructure, Resources, Commerce, and Banking and Financial Services.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BLILEY: Committee on Commerce. H.R. 3224. A bill to phase out the use of mercury in batteries and provide for the efficient and cost-effective collection and recycling or proper disposal of used nickel cadmium batteries, small sealed lead-acid batteries, and certain other batteries, and for other purposes; with an amendment (Rept. 104-530). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 3223. A bill to amend the Cen-

tral Utah Project Completion Act to direct the Secretary of the Interior to allow for prepayment of repayment contracts between the United States and the Central Utah Water Conservancy District dated December 28, 1965, and November 26, 1985, and for other purposes; with an amendment (Rept. 104-531). Referred to the Committee of the Whole House on the State of the Union.

Mr. LINDER: Committee on Rules. House Resolution 409. Resolution providing for consideration of the bill (H.R. 2715) to amend chapter 35 of title 44, United States Code, popularly known as the Paperwork Reduction Act, to minimize the burden of Federal paperwork demands upon small businesses, educational and nonprofit institutions, Federal contractors, State and local governments, and other persons through the sponsorship and use of alternative information technologies (Rept. 104-532). Referred to the House Calendar.

Mr. GOSS: Committee on Rules. House Resolution 410. Resolution providing for consideration of the bill (H.R. 1675) to amend the National Wildlife Refuge System Administration Act of 1966 to improve the management of the National Wildlife Refuge System, and for other purposes (Rept. 104-533). Referred to the House Calendar.

Mr. DREIER: Committee on Rules. House Resolution 411. Resolution providing for consideration of the joint resolution (H.J. Res. 175) making further continuing appropriations for the fiscal year 1996, and for other purposes (Rept. 104-534). Referred to the House Calendar.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MONTGOMERY:

H.R. 3285. A bill to amend title 38, United States Code, to restore the authority of the Secretary of Veterans Affairs to establish research corporations at medical centers in the Veterans Health Administration; to the Committee on Veterans' Affairs.

By Ms. MOLINARI (for herself, Mr. ARCHER, Mr. BUNNING of Kentucky, Ms. PRYCE, Mr. SOLOMON, Mr. TIAHRT, and Mr. SHAW):

H.R. 3286. A bill to help families defray adoption costs, and to promote the adoption of minority children; to the Committee on Ways and Means for a period ending not later than May 3, 1996, and in addition to the Committees on Resources and Economic and Educational Opportunities for a period ending not later than April 30, 1996, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARRETT of Nebraska:

H.R. 3287. A bill to direct the Secretary of the Interior to convey the Crawford National Fish Hatchery to the city of Crawford, NE; to the Committee on Resources.

By Mr. BROWDER:

H.R. 3288. A bill to direct that funds appropriated to the Department of Defense for fiscal year 1996 for certain medical research relating to illnesses suffered by veterans who served in the Persian Gulf war shall be obligated in accordance with peer review procedures of the Food and Drug Administration; to the Committee on National Security.

H.R. 3289. A bill to grant jurisdiction to the States over new gambling activities conducted on Indian lands; to the Committee on Resources.

By Mr. COOLEY (for himself, Mr. YOUNG of Alaska, Mr. HANSEN, and Mr. REGULA):

H.R. 3290. A bill to authorize appropriations for the Bureau of Land Management for each of the fiscal years 1997 through 2002; to the Committee on Resources.

By Ms. DUNN of Washington:

H.R. 3291. A bill to require the President to submit a separately identified appropriation request to provide priority funding for the national parks of the United States, and for other purposes; to the Committee on Government Reform and Oversight.

By Mr. HINCHEY (for himself, Mr. FILLNER, Mr. DEFazio, and Mr. DELLUMS):

H.R. 3292. A bill to amend title XVIII of the Social Security Act to provide for coverage of qualified acupuncturist services under part B of the Medicare Program, and to amend title 5, United States Code, to provide for coverage of such services under the Federal Employees Health Benefits Program; to the Committee on Commerce, and in addition to the Committees on Ways and Means, and Government Reform and Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. LOWEY:

H.R. 3293. A bill to amend title XIV of the Public Health Service Act (commonly known as the Safe Drinking Water Act) to establish a screening program for estrogenic substances; to the Committee on Commerce.

By Mr. MORAN (for himself, Mr. KENNEDY of Massachusetts, Mr. FRAZER, Mr. GREEN of Texas, Ms. NORTON, Mr. STUPAK, Mr. BRYANT of Texas, Mr. WILSON, Mr. LIPINSKI, Mr. RANGEL, Ms. KAPTUR, Mr. SANDERS, and Ms. MCKINNEY):

H.R. 3294. A bill to amend the Foreign Assistance Act of 1961 to withhold U.S. assistance from countries determined to be violating the human rights of working children, and for other purposes; to the Committee on International Relations.

By Mrs. MORELLA:

H.R. 3295. A bill to amend title 5, United States Code, to extend the treatment currently afforded to Federal judges under the Federal Employees Group Life Insurance Program to certain other judicial officials, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Government Reform and Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NETHERCUTT (for himself, Mr. CALVERT, Ms. LOFGREN, Mr. WELLER, Ms. DUNN of Washington, Mr. BEREUTER, and Mr. SKEEN):

H.R. 3296. A bill to amend the Family and Medical Leave Act of 1993 to apply the same employer requirements to all persons; to the Committee on Economic and Educational Opportunities, and in addition to the Committee on Government Reform and Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OBERSTAR:

H.R. 3297. A bill to provide for improved access to and use of the Boundary Waters Canoe Area Wilderness, and for other purposes; to the Committee on Resources.

H.R. 3298. A bill to provide for the establishment of the Voyageurs National Park Intergovernmental Council, and for other purposes; to the Committee on Resources.



By Mr. ROMERO-BARCELO (for himself and Mr. UNDERWOOD):

H.R. 3299. A bill to amend the Federal Water Pollution Control Act to allow certain States, including the territories of the United States, to apply for waivers from secondary treatment requirements for certain ocean discharges, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SMITH of New Jersey (for himself, Mr. BARTLETT of Maryland, and Mr. DORNAN):

H.R. 3300. A bill to amend title 10, United States Code, to prohibit the Department of Defense from selling, renting, or otherwise providing sexually explicit material to any individual; to the Committee on National Security.

By Ms. WATERS:

H.R. 3301. A bill to amend the Community Reinvestment Act of 1977 to require consideration of a depository institution's record with regard to the number and amount of fees imposed by the institution on consumer accounts and consumer transactions, and for other purposes; to the Committee on Banking and Financial Services.

H.R. 3302. A bill to amend the Federal Deposit Insurance Act to provide additional deposit insurance coverage for accounts at depository institutions which reduce net fee income in any year by 50 percent or more, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. WELDON of Pennsylvania (for himself and Mr. KENNEDY of Rhode Island):

H.R. 3303. A bill to establish a national oceanographic partnership program to promote the national goals of assuring national security, advancing economic development, protecting quality of life, and strengthening science education through oceanographic research and development; to the Committee on Resources, and in addition to the Committees on National Security, and Science, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WELDON of Florida:

H.R. 3304. A bill to amend the Water Resources Development Act of 1986 and the Internal Revenue Code of 1986 to authorize expenditures from the harbor maintenance trust fund for certain beach erosion projects; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LIVINGSTON:

H.J. Res. 175. Joint resolution making further continuing appropriations for the fiscal year 1996, and for other purposes; to the Committee on Appropriations, and in addition to the Committees on Banking and Financial Services, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

#### ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 72: Mr. GIBBONS.

H.R. 206: Mr. FARR.

H.R. 448: Mr. ENGLISH of Pennsylvania.

H.R. 449: Mr. ENGLISH of Pennsylvania.

H.R. 940: Mr. HALL of Ohio.

H.R. 973: Mr. HAYES.

H.R. 1202: Mr. DORNAN.

H.R. 1210: Mr. DEFAZIO and Mr. MASCARA.

H.R. 1500: Mr. FAWELL.

H.R. 1627: Mr. CAMPBELL.

H.R. 1692: Mr. FOX.

H.R. 1693: Mr. FOX.

H.R. 1694: Mr. FOX.

H.R. 1695: Mr. FOX.

H.R. 1713: Mr. NEY.

H.R. 1776: Mr. FOGLIETTA, Mr. CONDIT, Ms. DELAURO, Mr. TORRICELLI, Mr. MCCREERY, and Mr. EHRLICH.

H.R. 1889: Mr. CAMPBELL, Ms. WOOLSEY, and Mrs. LOWEY.

H.R. 1893: Mr. ENGLISH of Pennsylvania.

H.R. 2011: Mr. RAMSTAD and Mr. JACKSON.

H.R. 2024: Mr. WELLER.

H.R. 2026: Mr. CARDIN, Mr. MANTON, Mr. BREWSTER, Mrs. LOWEY, Mr. OBERSTAR, Ms. FURSE, Mr. BALLENGER, Mr. HERGER, Mr. GIBBONS, and Mr. MOAKLEY.

H.R. 2128: Mr. SAM JOHNSON and Mr. BILEY.

H.R. 2193: Mr. COLEMAN, Mr. MCKEON, Mr. DELLUMS, Mr. ORTIZ, and Mr. COMBEST.

H.R. 2270: Mr. CALVERT.

H.R. 2342: Mr. ROHRBACHER.

H.R. 2548: Mr. MONTGOMERY, Mr. ORTON, Mr. MANZULLO, and Mr. FRELINGHUYSEN.

H.R. 2651: Ms. WATERS, Mr. ENSIGN, and Mr. JACKSON.

H.R. 2724: Mr. OBERSTAR, Mr. HOLDEN, Mr. YATES, Mr. MARKEY, and Mr. BROWN of Ohio.

H.R. 2725: Mr. OBERSTAR, Mr. HOLDEN, Mr. YATES, Mr. MARKEY, and Mr. BROWN of Ohio.

H.R. 2795: Mr. ENGLISH of Pennsylvania.

H.R. 2796: Mr. GREEN of Texas and Mr. GORDON.

H.R. 2803: Mr. HAMILTON.

H.R. 2807: Mr. MANTON, Mr. FRAZER, and Mr. GILMAN.

H.R. 2820: Mrs. FOWLER and Mr. ENGLISH of Pennsylvania.

H.R. 2910: Mr. LIPINSKI and Ms. NORTON.

H.R. 2933: Mr. JOHNSON of South Dakota.

H.R. 2968: Mr. BAKER of Louisiana.

H.R. 2978: Mr. FAZIO of California.

H.R. 3059: Mr. BORSKI and Mr. ENGEL.

H.R. 3067: Mr. BROWN of California, Mr. DEUTSCH, and Mr. BEREUTER.

H.R. 3119: Mr. NEY.

H.R. 3142: Mr. THORNBERRY, Mr. COLLINS of Georgia, Mr. YOUNG of Alaska, Mr. GILMAN, Mr. HERGER, Mr. EVERETT, and Mr. PASTOR.

H.R. 3149: Mr. CAMP.

H.R. 3195: Mr. INGLIS of South Carolina, Mr. CALVERT, Mr. CLYBURN, and Mr. SPRATT.

H.R. 3226: Mrs. MORELLA.

H.R. 3246: Ms. DELAURO.

H.R. 3261: Ms. FURSE and Mr. ORTON.

H.R. 3267: Mrs. KELLY, Mr. TRAFICANT, Mr. NADLER, Mr. BOEHLERT, and Mr. COBLE.

H.J. Res. 127: Mr. ALLARD.

H. Con. Res. 10: Mr. JOHNSON of South Dakota.

H. Con. Res. 47: Mr. OBEY, Mr. JOHNSON of South Dakota, Mr. BRYANT of Texas, and Ms. DELAURO.

H. Con. Res. 50: Mr. EMERSON.

H. Con. Res. 154: Mr. LAZIO of New York, Mr. KENNEDY of Rhode Island, Mr. GONZALEZ, Mr. LEWIS of California, Mr. JACKSON, Mr. BALLENGER, Mr. TATE, Mrs. FOWLER, Mr. KILDEE, Mr. STUPAK, Mr. BILIRAKIS, Mr. ANDREWS, Mr. ZELIFF, Mr. LEWIS of Georgia, Mr. BLUTE, Mr. BARTON of Texas, Mr. TAYLOR of North Carolina, Mr. MORAN, Mrs. MYRICK, Mr. ORTON, Ms. KAPTUR, Mr. HASTINGS of Florida, Mr. HYDE, Mr. KENNEDY of Massachusetts, Mr. DELLUMS, Mr. PAYNE of New

Jersey, Ms. WOOLSEY, Mr. DEFAZIO, Mr. FRANKS of New Jersey, and Ms. DELAURO.

H. Res. 49: Mr. WAXMAN and Mr. BEREUTER.

#### AMENDMENTS

Under clause 6 of the rule XXIII, proposed amendments were submitted as follows:

H.R. 1675

OFFERED BY: Mr. NADLER

(Page and line number references are to Amendment No. 1)

AMENDMENT No. 3: Strike section 10 (page 23, lines 3 through 10).

H.J. RES. 175

OFFERED BY: Mr. GEKAS

AMENDMENT No. 1: At the appropriate place, insert the following new section:

#### SEC. . AUTOMATIC CONTINUING RESOLUTION.

(a) IN GENERAL.—Chapter 13 of title 31, United States Code, is amended by inserting after section 1310 the following new section:

#### "§ 1311. Continuing appropriations

"(a)(1) If any regular appropriation bill for a fiscal year does not become law prior to the beginning of such fiscal year or a joint resolution making continuing appropriations is not in effect, there is appropriated, out of any moneys in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, such sums as may be necessary to continue any project or activity for which funds were provided in the preceding fiscal year—

"(A) in the corresponding regular appropriation Act for such preceding fiscal year; or

"(B) if the corresponding regular appropriation bill for such preceding fiscal year did not become law, then in a joint resolution making continuing appropriations for such preceding fiscal year.

"(2) Appropriations and funds made available, and authority granted, for a project or activity for any fiscal year pursuant to this section shall be at a rate of operations not in excess of the lower of—

"(A) the rate of operations provided for in the regular appropriation Act providing for such project or activity for the preceding fiscal year.

"(B) in the absence of such an Act, the rate of operations provided for such project or activity pursuant to a joint resolution making continuing appropriations for such preceding fiscal year.

"(C) the rate of operations provided for in the House or Senate passed appropriation bill for the fiscal year in question, except that the lower of these two versions shall be ignored for any project or activity for which there is a budget request if no funding is provided for that project or activity in neither version.

"(D) the rate provided in the budget submission of the President under section 1105(a) of title 31, United States Code, for the fiscal year in question, or

"(E) the annualized rate of operations provided for in the most recently enacted joint resolution making continuing appropriations for part of that fiscal year.

"(3) Appropriations and funds made available, and authority granted, for any fiscal year pursuant to this section for a project or activity shall be available for the period beginning with the first day of a lapse in appropriations and ending with the earlier of—

"(A) the date on which the applicable regular appropriation bill for such fiscal year becomes law (whether or not such law provides

for such project or activity) or a continuing resolution making appropriations becomes law, as the case may be, or

"(B) the last day of such fiscal year.

"(b) An appropriation or funds made available, or authority granted, for a project or activity for any fiscal year pursuant to this section shall be subject to the terms and conditions imposed with respect to the appropriation made or funds made available for the preceding fiscal year, or authority granted for such project or activity under current law.

"(c) Appropriations and funds made available, and authority granted, for any project or activity for any fiscal year pursuant to this section shall cover all obligations or expenditures incurred for such project or activity during the portion of such fiscal year for which this section applies to such project or activity.

"(d) Expenditures made for a project or activity for any fiscal year pursuant to this section shall be charged to the applicable appropriation, fund, or authorization whenever a regular appropriation bill or a joint resolution making continuing appropriations until the end of a fiscal year providing for such project or activity for such period becomes law.

"(e) No appropriation is made by this section for a fiscal year for any project or activity for which there is no authorization of appropriations for such fiscal year.

"(f) This section shall not apply to a project or activity during a fiscal year if any other provision of law (other than an authorization of appropriations)—

"(1) makes an appropriation, makes funds available, or grants authority for such project or activity to continue for such period, or

"(2) specifically provides that no appropriation shall be made, no funds shall be made available, or no authority shall be granted for such project or activity to continue for such period.

"(g) For purposes of this section, the term 'regular appropriation bill' means any annual appropriation bill making appropriations, otherwise making funds available, or granting authority, for any of the following categories of projects and activities:

"(1) Agriculture, rural development, and related agencies programs.

"(2) The Departments of Commerce, Justice, and State, the judiciary, and related agencies.

"(3) The Department of Defense.

"(4) The government of the District of Columbia and other activities chargeable in

whole or in part against the revenues of the District.

"(5) The Departments of Labor, Health and Human Services, and Education, and related agencies.

"(6) The Department of Housing and Urban Development, and sundry independent agencies, boards, commissions, corporations, and offices.

"(7) Energy and water development.

"(8) Foreign assistance and related programs.

"(9) The Department of the Interior and related agencies.

"(10) Military construction.

"(11) The Department of Transportation and related agencies.

"(12) The Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies.

"(13) The legislative branch."

(b) CONFORMING AMENDMENT.—The analysis of chapter 13 of title 31, United States Code, is amended by inserting after the item relating to section 1310 the following new item:

"1311. Continuing appropriations."

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to fiscal years beginning after September 30, 1995.